

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUSSELL LUCIUS LAFFITTE,

Defendant.

) Docket No. 9:22-658

) Charleston, SC

) Volume I

) DATE: November 8, 2022

BEFORE THE HONORABLE RICHARD M. GERGEL
UNITED STATES DISTRICT JUDGE, PRESIDING
JURY TRIAL

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1 THE COURT: Is the Government ready to call its next
2 case?

3 MS. LIMEHOUSE: We are, Your Honor. Good morning.
4 We are here in the matter of the United States v. Russell
5 Lucius Laffitte, Criminal Docket No. 9:22-658. Emily
6 Limehouse, Winston Holliday, and Katie Stoughton on behalf of
7 the Government. Mr. Laffitte is here today represented by
8 his attorneys, Mr. Bart Daniel and Mr. Matt Austin. And we
9 are here for jury selection.

10 THE COURT: Thank you very much. Could defense
11 counsel identify himself for the record, please.

12 MR. DANIEL: Yes, Your Honor. I'm Bart Daniel. And
13 I represent Russell Laffitte along with Matt Austin and Josh
14 Myers. We've got with us our paralegal, Grace Hamill, and
15 our legal assistant, Elizabeth Todd, along with some others,
16 Your Honor. And this is Mr. Russell Laffitte.

17 THE COURT: Thank you very much, Mr. Daniel.

18 Ladies and gentlemen, good morning. And welcome to
19 United States District Court. The first thing -- have we
20 called the roll yet, Ms. Perry?

21 THE COURT DEPUTY: No, sir.

22 THE COURT: Please call the roll.

23 THE COURT DEPUTY: Good morning, ladies and
24 gentlemen of the jury. As I call your number, please stand
25 and answer by saying present.

1 No. 4?

2 PROSPECTIVE JUROR: Present.

3 THE COURT: Let me go back. Number 3, is number 3
4 here?

5 THE COURT: I think it's been scratched off.

6 THE COURT DEPUTY: I just wanted to make sure. That
7 was an early morning one.

8 No. 5?

9 PROSPECTIVE JUROR: Present.

10 THE COURT DEPUTY: No. 6?

11 PROSPECTIVE JUROR: Present.

12 THE COURT DEPUTY: No. 7?

13 PROSPECTIVE JUROR: Present.

14 THE COURT DEPUTY: No. 9?

15 PROSPECTIVE JUROR: Present.

16 THE COURT DEPUTY: No. 13?

17 PROSPECTIVE JUROR: Present.

18 THE COURT DEPUTY: No. 17?

19 PROSPECTIVE JUROR: Present.

20 THE COURT DEPUTY: No. 23?

21 PROSPECTIVE JUROR: Present.

22 THE COURT DEPUTY: No. 25?

23 PROSPECTIVE JUROR: Present.

24 THE COURT DEPUTY: No. 28?

25 PROSPECTIVE JUROR: Present.

1 THE COURT DEPUTY: No. 31?
2 PROSPECTIVE JUROR: Present.
3 THE COURT DEPUTY: 33?
4 PROSPECTIVE JUROR: Present.
5 THE COURT DEPUTY: 40?
6 PROSPECTIVE JUROR: Present.
7 THE COURT DEPUTY: 42?
8 PROSPECTIVE JUROR: Present.
9 THE COURT DEPUTY: 43?
10 PROSPECTIVE JUROR: Present.
11 THE COURT DEPUTY: 46?
12 PROSPECTIVE JUROR: Present.
13 THE COURT DEPUTY: 54?
14 PROSPECTIVE JUROR: Present.
15 THE COURT DEPUTY: 55?
16 PROSPECTIVE JUROR: Present.
17 THE COURT DEPUTY: 56?
18 PROSPECTIVE JUROR: Present.
19 THE COURT DEPUTY: 60?
20 PROSPECTIVE JUROR: Present.
21 THE COURT DEPUTY: 62?
22 PROSPECTIVE JUROR: Present.
23 THE COURT DEPUTY: 64?
24 PROSPECTIVE JUROR: Present.
25 THE COURT DEPUTY: 68?

1 PROSPECTIVE JUROR: Present.
2 THE COURT DEPUTY: 74?
3 PROSPECTIVE JUROR: Present.
4 THE COURT DEPUTY: 77?
5 PROSPECTIVE JUROR: Present.
6 THE COURT DEPUTY: 81?
7 PROSPECTIVE JUROR: Present.
8 THE COURT DEPUTY: 82?
9 PROSPECTIVE JUROR: Present.
10 THE COURT DEPUTY: 84?
11 PROSPECTIVE JUROR: Present.
12 THE COURT DEPUTY: 88?
13 PROSPECTIVE JUROR: Present.
14 THE COURT DEPUTY: 92?
15 PROSPECTIVE JUROR: Present.
16 THE COURT DEPUTY: 93?
17 PROSPECTIVE JUROR: Present.
18 THE COURT DEPUTY: 96?
19 PROSPECTIVE JUROR: Present.
20 THE COURT DEPUTY: 99?
21 PROSPECTIVE JUROR: Present.
22 THE COURT DEPUTY: 101?
23 PROSPECTIVE JUROR: Present.
24 THE COURT DEPUTY: 105?
25 PROSPECTIVE JUROR: Present.

1 THE COURT DEPUTY: 107?
2 PROSPECTIVE JUROR: Present.
3 THE COURT DEPUTY: 109?
4 PROSPECTIVE JUROR: Present.
5 THE COURT DEPUTY: 111?
6 PROSPECTIVE JUROR: Present.
7 THE COURT DEPUTY: 113?
8 PROSPECTIVE JUROR: Present.
9 THE COURT DEPUTY: 115?
10 PROSPECTIVE JUROR: Present.
11 THE COURT DEPUTY: 119?
12 PROSPECTIVE JUROR: Present.
13 THE COURT DEPUTY: 120?
14 PROSPECTIVE JUROR: Present.
15 THE COURT DEPUTY: 121?
16 PROSPECTIVE JUROR: Present.
17 THE COURT DEPUTY: 123?
18 PROSPECTIVE JUROR: Present.
19 THE COURT DEPUTY: 124?
20 PROSPECTIVE JUROR: Present.
21 THE COURT DEPUTY: 125?
22 PROSPECTIVE JUROR: Present.
23 THE COURT DEPUTY: 130?
24 PROSPECTIVE JUROR: Present.
25 THE COURT DEPUTY: 139?

1 PROSPECTIVE JUROR: Present.
2 THE COURT DEPUTY: 141?
3 PROSPECTIVE JUROR: Present.
4 THE COURT DEPUTY: 153?
5 PROSPECTIVE JUROR: Present.
6 THE COURT DEPUTY: 154?
7 PROSPECTIVE JUROR: Present.
8 THE COURT DEPUTY: 155? Juror No. 155?
9 159?
10 PROSPECTIVE JUROR: Present.
11 THE COURT DEPUTY: 161?
12 PROSPECTIVE JUROR: Present.
13 THE COURT DEPUTY: 162?
14 PROSPECTIVE JUROR: Present.
15 THE COURT DEPUTY: 164?
16 PROSPECTIVE JUROR: Present.
17 THE COURT DEPUTY: 172?
18 PROSPECTIVE JUROR: Present.
19 THE COURT DEPUTY: 173?
20 PROSPECTIVE JUROR: Present.
21 THE COURT DEPUTY: 180?
22 PROSPECTIVE JUROR: Present.
23 THE COURT DEPUTY: 189?
24 PROSPECTIVE JUROR: Present.
25 THE COURT DEPUTY: 191?

1 PROSPECTIVE JUROR: Present.

2 THE COURT DEPUTY: 200?

3 PROSPECTIVE JUROR: Present.

4 THE COURT DEPUTY: 202?

5 PROSPECTIVE JUROR: Present.

6 THE COURT DEPUTY: 205?

7 PROSPECTIVE JUROR: Present.

8 THE COURT DEPUTY: 210.

9 PROSPECTIVE JUROR: Present.

10 THE COURT: 211?

11 PROSPECTIVE JUROR: Present.

12 THE COURT DEPUTY: 221?

13 PROSPECTIVE JUROR: Present.

14 THE COURT DEPUTY: 222?

15 PROSPECTIVE JUROR: Present.

16 THE COURT DEPUTY: Is there anyone present whose
17 number I did not call? Please stand. And your number?

18 PROSPECTIVE JUROR: 207.

19 THE COURT DEPUTY: Okay. We received an e-mail from
20 you this morning. Would you like to serve? You may be
21 excused. If you would like to be excused, you qualify.

22 PROSPECTIVE JUROR: I do.

23 THE COURT DEPUTY: Okay. Thank you. Are there any
24 people other than counsel and jurors in the courtroom?

25 Someone -- please stand if you are in the courtroom and you

1 are not a juror. And state your identity.

2 MS. ANDERSON: Tracy Anderson, media.

3 THE COURT DEPUTY: Okay. Media are not allowed in
4 the courtroom for jury selection. Is there anyone else
5 seated in the gallery that is not a juror?

6 (No response from the jury.)

7 THE COURT DEPUTY: Only jurors. Jurors, please hold
8 on to your summons. You will need it to refer back to it to
9 your nine-digit participation number if you're selected as
10 your juror. And please stand and be sworn.

11 (Whereupon, the venire is sworn.)

12 THE COURT: Thank you, Ms. Perry. Again, ladies and
13 gentlemen, my name is Richard Gergel. I'm a United States
14 district judge. And I will be presiding over this jury
15 selection and at the trial of this case.

16 We are now in the midst of the jury selection
17 process. You previously completed a questionnaire for the
18 Court, which has been reviewed by the attorneys in the case.
19 These questionnaires have been very helpful in providing the
20 attorneys and the parties the necessary information to select
21 a fair and impartial jury. And, ladies and gentlemen, our
22 goal here is to select a fair and impartial jury.

23 We need some additional information from you. And I
24 will be asking some additional questions before jurors are
25 finally selected. In just a moment, I will provide you a

1 brief summary of the case we are drawing the jury for,
2 introduce you to the attorneys, identify the parties and
3 possible witnesses, and may ask you special questions that
4 touch on your ability to be fair and impartial about this
5 particular case.

6 Please remember you are under oath. And our goal is
7 to select a jury that can be completely open-minded, fair,
8 and impartial.

9 If one of the questions I ask you applies to you,
10 please stand. And when I recognize you, state your juror
11 number, not your name, your juror number, and speak loudly
12 and distinctly when giving an answer. On many of these
13 questions, I will ask you -- if you are going to respond, I
14 will ask you to come forward so that you can discuss the
15 matters with me privately, because some matters I do not want
16 to do in front of the entire jury pool. If I ask you a
17 question that I don't appreciate may involve something
18 private and you would prefer to answer it privately, you just
19 let me know that. Okay?

20 I know that your presence here today and possible
21 service on a jury may disrupt your normal routines and plans
22 and feel in some ways like a burden. I want you to remember,
23 we have in the United States the most remarkable and admired
24 legal system in the world. And the key part of that system
25 is a trial by jury. Ordinary hard-working citizens like

1 yourselves are given the critical responsibilities of jury
2 service. It is an honor to be an American citizen. And it
3 is an honor to serve as a juror. I want to thank you in
4 advance for your jury service. And I want to do my part to
5 minimize any inconvenience or burden you may experience.

6 A few basic ground rules: Whenever you speak,
7 again, use your juror number. Secondly, if you speak in
8 response to a question, speak loud enough for my court
9 reporter sitting up here to hear you. We need to get all of
10 this down. She needs to hear everything that you say. And,
11 again, as I just said, if you prefer to answer any question I
12 ask you in private, please indicate. I will be bringing you
13 forward in many of these questions regardless.

14 Okay. First question, do you have any personal
15 hardship which prevents you from serving effectively as a
16 juror? And let me define what a personal hardship is: You
17 have transportation problems getting to and from the
18 courthouse; you have children under the age of 10 at home for
19 whom you are primarily responsible; you have a physical or
20 medical condition that you believe prevents you from
21 effectively serving, and you would like to claim an exemption
22 from jury service for that reason. If you have any personal
23 hardship as I have just defined it, please stand.

24 Okay. Sir, I'm going to have you come forward, if
25 you could please, and counsel.

1 (Whereupon, the following bench conference takes
2 place):

3 THE COURT: Juror No. 107. Can you tell me your
4 personal hardship, sir?

5 PROSPECTIVE JUROR: I have a significant amount of
6 hearing loss. I'm really struggling to understand you. And
7 if they have a mask on, I'm having to watch the people around
8 me to see what to do.

9 THE COURT: Let me say this. My friend Mr. Daniel
10 has the same problem.

11 MR. DANIEL: Even with these.

12 THE COURT: Even with the most powerful hearing aids
13 he can buy. So I'm going to excuse you, sir. Thank you.

14 (Bench conference ends.)

15 THE COURT: Juror No. 107 is excused.

16 Ladies and gentlemen, you may be excused if you are
17 over the age of 70 and wish to exercise your right to be
18 excused. Also, if you've served on a federal grand or petit
19 jury in the last two years, federal grand jury or trial jury
20 in the last two years, you are eligible. I say you are
21 eligible because over the years, some of my best jurors are
22 over 70 years of age, but you have the right to assert the
23 exemption if you wish. Is anyone over 70 or who has been in
24 the past two years on a federal grand or trial jury and
25 wishes to be excused, please stand.

1 (No response.)

2 THE COURT: Let the record show no one has stood.
3 Ladies and gentlemen, you have previously completed a
4 questionnaire. Your responses are important. If you have,
5 since completing your questionnaire, remembered or learned
6 additional information that should have been included, please
7 stand.

8 (No response.)

9 THE COURT: Let the record show no one has stood.
10 Ladies and gentlemen, the case under consideration
11 this morning for which we are drawing the jury is United
12 States v. Russell Laffitte. We will begin the trial today
13 after jury selection. And it's estimated it will run through
14 the week ending on November 18th, so this week and next week.
15 I promise you, I will push these lawyers to do it as soon --
16 quick as possible, but that's the present estimate. If you
17 have any personal conflicts during this particular time, I
18 need to know about them. Let me define what personal
19 conflicts are: A personal vacation plan that cannot be
20 changed; travel plans that cannot be rescheduled; significant
21 business or employment-related conflict. And I don't mean
22 it's sort of a burden to be away from work, it is something
23 extraordinary that keeps you from maintaining your business
24 or employment that makes it particularly critical that you
25 not serve on a jury. Now, those are the definitions for a

1 personal conflict. If anyone asserts they have a personal
2 conflict between today and November 18th, please stand.

3 Okay. I'm going to have you come forward, please.

4 (Whereupon, the following bench conference takes
5 place):

6 THE COURT: Okay. Juror 211, yes, ma'am, what's
7 your conflict?

8 PROSPECTIVE JUROR: No. 211. I am traveling to
9 Greenville, South Carolina, this weekend. My mother-in-law
10 is having a lumpectomy. She has lung cancer. And I have two
11 young children.

12 THE COURT: We are not going to be doing stuff over
13 the weekend. Can you be hear -- let me say Friday is
14 Veterans Day, so we are not having jury service. Can you be
15 back Sunday so you can be here Monday morning?

16 PROSPECTIVE JUROR: Her surgery is Monday.

17 THE COURT: Her surgery is Monday?

18 PROSPECTIVE JUROR: It is, yes.

19 THE COURT: Okay. I'm going to excuse you. Okay.
20 Thank you, ma'am. Prayers for your mom.

21 Next juror, please.

22 THE COURT: Let me show counsel this. Juror No. 4.
23 Let me tell you my thinking about this. I want to
24 accommodate you, but I've got to have enough jurors. So at
25 this moment I'm going to leave it open. I am not going to

1 grant it yet, but I have a note about it. Does that seem
2 fair enough? You can keep that note. Thank you, ma'am, you
3 may return to your chair.

4 Juror 162. Yes, sir. Good morning.

5 PROSPECTIVE JUROR: Good morning. I am a tournament
6 director at a professional golf course. We are missing a
7 tournament today. I need to be running. And I have this one
8 Friday, Saturday.

9 THE COURT: Well, Friday we are gone. It's Veterans
10 Day, in honor of veterans. Saturday we are not here. And
11 right this moment, I can't let you go. Appreciate you coming
12 forward.

13 Yes, sir. What juror number are you?

14 PROSPECTIVE JUROR: 141.

15 THE COURT: Yes, sir.

16 PROSPECTIVE JUROR: Thursday and Friday, I will be
17 in Florence due to an annual conference, I'm a preacher, and
18 as a security for the AME district.

19 THE COURT: I've actually attended AME conferences
20 before, so I know exactly what's involved. Let me just say,
21 Friday you are free, because it's Veterans Day. And right
22 this moment, I can't let anyone go. I need to make sure I
23 have enough jurors. This is an important case. So I need
24 for you to do your Lord's work here on Thursday if you get
25 drawn. Okay? You need to explain to the bishop. I am not

1 going to excuse you here. But on Friday, you are free anyway
2 because we are not having court on Friday.

3 PROSPECTIVE JUROR: So as far as my room and money
4 paid for Thursday for my reservation --

5 THE COURT: I can't do anything about that. I'm
6 just saying, sir, of course, you could leave Thursday and get
7 there Thursday night. You just can't be there Thursday if
8 I -- we don't know if you are going to get drawn yet. But
9 right now, I can't let you go. All right? Thank you, sir.

10 Yes, sir. Good morning, sir. Juror No. 210. Yes,
11 sir.

12 PROSPECTIVE JUROR: My wife is pregnant and she has
13 kidney stones. So I've been operating her business as well
14 as doing my own job.

15 THE COURT: And what's the nature of her business?

16 PROSPECTIVE JUROR: She owns a pet store.

17 THE COURT: The pets have to be fed?

18 PROSPECTIVE JUROR: Yeah.

19 THE COURT: And what's your business?

20 PROSPECTIVE JUROR: I'm the vice president of
21 operations for a local synthetic turf company.

22 THE COURT: Well, I wouldn't let you off for your
23 business. But for your wife, you have a lot of explaining to
24 do if I don't let you go, so I'm going to excuse you, sir.
25 Thank you very much. Best for your wife. Thank you.

1 (Bench conference ends.)

2 Okay. Okay. Ladies and gentlemen, I need to give
3 you a brief summary about the case we are getting ready to
4 try. We will be selecting a jury today in the case of United
5 States v. Russell Laffitte. The defendant has been charged
6 with various counts relating to alleged bank and wire fraud
7 involving Alex Murdaugh, a former member of the law firm of
8 Parker, Murdaugh, Peters, Eltzroth & Detrick, based in
9 Hampton, South Carolina. He's also been charged with
10 misappropriating bank funds.

11 The defendant is presumed innocent. And the
12 Government carries the burden of proving the defendant guilty
13 beyond a reasonable doubt. Has any member of the jury heard
14 or read or is otherwise aware of this case? If so, please
15 stand.

16 I am not surprised. Okay. We are going to --
17 individually, we are going to do -- we are going to
18 individually bring people forward. I want -- I'm going to
19 ask my court folks, we will do five in line at a time. And
20 we will do from the front row to the back. Okay? First
21 person, please.

22 (Whereupon, the following bench conference takes
23 place):

24 THE COURT: Juror No. 93. Yes, ma'am. Tell me
25 about your knowledge of this case.

1 PROSPECTIVE JUROR: It's limited, but it was
2 something to do with an attorney that had a murder at a
3 house.

4 THE COURT: By the way, that's not this case. This
5 is a bank case.

6 PROSPECTIVE JUROR: That's what I know about it.

7 THE COURT: Do you know anything about the
8 allegations about bank activity?

9 PROSPECTIVE JUROR: I don't know anything about
10 that.

11 THE COURT: Do you have any opinion as to innocence
12 or guilty or anything like that?

13 PROSPECTIVE JUROR: No, sir.

14 THE COURT: Do you feel like you can be a fair and
15 impartial juror?

16 PROSPECTIVE JUROR: I do.

17 THE COURT: Very good. You may return to your seat.
18 93.

19 Next. Juror No. 42. Good morning. Thank you for
20 being here. Tell me what you know about this case.

21 PROSPECTIVE JUROR: All I really know is the name
22 Murdaugh and I know what he is accused of. I do not know
23 this gentleman.

24 THE COURT: Do you have any opinions as to the
25 innocence or guilt of this gentleman?

1 PROSPECTIVE JUROR: No.

2 THE COURT: Do you feel like you can be a fair and
3 impartial juror?

4 PROSPECTIVE JUROR: I do.

5 THE COURT: You can return to your seat. Thank you.
6 Yes, ma'am. Juror No. 62. Good morning.

7 PROSPECTIVE JUROR: Good morning.

8 THE COURT: Tell me what you know about this case.

9 PROSPECTIVE JUROR: Only what I've read in the
10 newspaper.

11 THE COURT: And what basically is your impression of
12 what this case is about?

13 PROSPECTIVE JUROR: Just keeps snowballing.

14 THE COURT: Do you know anything about the
15 particular issues involved in our case, involving the bank?

16 PROSPECTIVE JUROR: No, I've never heard of this
17 individual.

18 THE COURT: And do you have any opinion as to
19 innocence or guilt?

20 PROSPECTIVE JUROR: No, not really.

21 THE COURT: Do you feel like you could be a fair and
22 impartial juror in this case?

23 PROSPECTIVE JUROR: Sure.

24 THE COURT: Okay. I'm going to return -- you are
25 fine. Thank you.

1 Next.

2 THE COURT: Juror No. 105. Good morning, sir. Tell
3 me what you know about this case.

4 PROSPECTIVE JUROR: I read the Post and Courier
5 daily and the Wall Street Journal daily. I'm generally aware
6 of it.

7 THE COURT: Are you aware of the allegations
8 involving Mr. Laffitte himself or the larger case here you
9 are knowledgeable about?

10 PROSPECTIVE JUROR: I'm familiar with the fact that
11 there are a handful of charges.

12 THE COURT: Do you have any -- other than reading
13 the newspaper, have you picked up any other -- have you
14 watched any videos or TV or podcasts, listened to podcasts or
15 anything like that?

16 PROSPECTIVE JUROR: I have seen some video
17 productions in part, not anything in great detail. I'm aware
18 that there is a podcast.

19 THE COURT: Do you have any opinions? Have you
20 reached any opinions about innocence or guilt or anything
21 like that about the case?

22 PROSPECTIVE JUROR: No.

23 THE COURT: Do you have any reason -- do you feel
24 like you could not be a fair and impartial juror in this
25 case?

1 PROSPECTIVE JUROR: Not at all.

2 THE COURT: Very good. I'm going to send you back
3 to your seat. Thank you, sir.

4 Next.

5 THE COURT: Juror No. 82. Good morning.

6 PROSPECTIVE JUROR: Good morning.

7 THE COURT: Tell me what you know about this case.

8 PROSPECTIVE JUROR: I just heard the name. I heard
9 the Murdaugh name and just, like, whenever things kind of
10 surfaced about it, but I don't know anything about --

11 THE COURT: Details of this case with Mr. Laffitte,
12 you don't know anything about that?

13 PROSPECTIVE JUROR: No.

14 THE COURT: How have you obtained information?

15 PROSPECTIVE JUROR: It's kind of all over the place.

16 THE COURT: The name is all over the place?

17 PROSPECTIVE JUROR: But nowhere in particular.

18 There was a podcast that I listened to in the very beginnings
19 of everything. But I haven't remembered -- I don't know
20 anything about it really.

21 THE COURT: And do you have any opinions about
22 innocence or guilt?

23 PROSPECTIVE JUROR: Hm-mm.

24 THE COURT: Do you know of any reason you could not
25 be a fair and impartial juror?

1 PROSPECTIVE JUROR: No.

2 THE COURT: Thank you. You could return to your
3 seat.

4 Juror No. 33. Yes, sir. What do you know about
5 this case?

6 PROSPECTIVE JUROR: The question is pretty vague, so
7 I felt compelled to come up. Other than what I've read in
8 the paper, seen in the newspaper, but no knowledge of any
9 substance, facts. Other than allegations, nothing.

10 THE COURT: Do you have any -- so you've just
11 basically picked it up from reading the newspaper?

12 PROSPECTIVE JUROR: Every day.

13 THE COURT: Have you reached any opinions as to
14 innocence or guilt?

15 PROSPECTIVE JUROR: Not at all.

16 THE COURT: Do you have any real knowledge of the
17 details relating to the bank situation?

18 PROSPECTIVE JUROR: No, I don't.

19 THE COURT: Is there any reason you feel like you
20 could not be a fair and impartial juror in this case?

21 PROSPECTIVE JUROR: I do not.

22 THE COURT: Very good. You could return to your
23 seat.

24 Juror No. 205. Yes, sir. Good morning, sir. Tell
25 me what you know about this case.

1 PROSPECTIVE JUROR: Well, I know about accident and
2 couple deaths and about him. So on my phone I clicked on it,
3 but I had to pay to read it, so I didn't click on it.

4 THE COURT: So do you know anything about -- do you
5 have any opinions about this situation?

6 PROSPECTIVE JUROR: About him? I know he was a
7 lawyer or something -- no, he's a banker.

8 THE COURT: The defendant here is a banker. Do you
9 have any knowledge about banking issues in the case?

10 PROSPECTIVE JUROR: No.

11 THE COURT: Do you have any opinions to innocence or
12 guilt?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Do you feel like you could be a fair and
15 impartial juror in this case?

16 PROSPECTIVE JUROR: Yes.

17 THE COURT: Very good. I'm going to send you back
18 to your seat.

19 Next, please. Juror No. 200. Yes, sir.

20 PROSPECTIVE JUROR: I'm just aware of the case but
21 not really any details, just --

22 THE COURT: So tell me about how you acquired any
23 knowledge about it.

24 PROSPECTIVE JUROR: Just saw different articles
25 placed in different papers and things like that.

1 THE COURT: Have you listened to any podcasts or
2 anything like that?

3 PROSPECTIVE JUROR: No.

4 THE COURT: Do you have any opinions as to the
5 defendant's innocence or guilt?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Do you have any reason to think you
8 could be not a fair and impartial juror?

9 PROSPECTIVE JUROR: No.

10 THE COURT: Very good. You could return to your
11 seat.

12 Juror No. 23. Good morning.

13 PROSPECTIVE JUROR: Good morning.

14 THE COURT: Thank you for being here. Tell me what
15 you know about this case.

16 PROSPECTIVE JUROR: I followed it on podcasts and
17 documentaries.

18 THE COURT: Tell me what podcasts you have listened
19 to.

20 PROSPECTIVE JUROR: One of them is the Murdaugh
21 Murders and --

22 THE COURT: And you've listened to those?

23 PROSPECTIVE JUROR: I have.

24 THE COURT: You have also seen anything on TV or
25 video?

1 PROSPECTIVE JUROR: Yes. I saw a documentary on IDT
2 and started one on HBO.

3 THE COURT: And do you have opinions as to the
4 innocence or guilt of the defendant?

5 PROSPECTIVE JUROR: No. I can be pretty partial.

6 THE COURT: Well, I need for you to be completely
7 impartial, not pretty impartial. Do you feel like maybe you
8 have too much knowledge, perhaps?

9 PROSPECTIVE JUROR: Maybe.

10 THE COURT: Okay. I'm going to excuse you. Thank
11 you.

12 Next. Juror No. 120. Good morning. Tell me what
13 you know about this case.

14 PROSPECTIVE JUROR: I know that there was a murder
15 involved, a wife and a nanny. I read about it a little bit
16 on Democratic Underground. I know it's a long, convoluted
17 story.

18 THE COURT: And do you know much about the banking
19 issues? These are banking issues.

20 PROSPECTIVE JUROR: Not a whole lot about that.

21 THE COURT: Do you know anything about Mr. Laffitte,
22 the defendant here?

23 PROSPECTIVE JUROR: I read his name online, I
24 mean --

25 THE COURT: Do you have any opinions as to innocence

1 or guilt?

2 PROSPECTIVE JUROR: No, not really.

3 THE COURT: Well, let's explore that a little bit.
4 You were hesitant. And it's important that we get fair and
5 impartial jurors. Do you have some opinions about this?

6 PROSPECTIVE JUROR: Maybe a little.

7 THE COURT: Okay. I'm going to excuse you. Thank
8 you, ma'am.

9 Juror No. 153. Yes, sir. Good morning.

10 PROSPECTIVE JUROR: Good morning.

11 THE COURT: What do you know about this?

12 PROSPECTIVE JUROR: I mean, I've definitely heard
13 news, read the news, listened to some podcasts, not a huge
14 amount of it, but I know more, I would say, on the Murdaugh
15 case than this particular aspect of it.

16 THE COURT: Do you have any opinion as to innocence
17 or guilt of Mr. Laffitte, the defendant here?

18 PROSPECTIVE JUROR: I mean, for this particular
19 case, I don't know, seems to be systematic abuse somewhat
20 based on what I've read and heard.

21 THE COURT: I'm going to excuse you from this case.
22 Thank you, sir.

23 Next. I've seen you before. Yes, ma'am. What do
24 you know about this?

25 PROSPECTIVE JUROR: What's been on the news and

1 what's the next, 20/20, I've seen that. But my co-worker,
2 who I support, is from Hampton and she went to school with
3 him.

4 THE COURT: So you think that might affect your --

5 PROSPECTIVE JUROR: I just don't want any questions.

6 THE COURT: I'm going to excuse you. Thank you,
7 ma'am. 4 is excused.

8 No. 13. Yes, ma'am.

9 PROSPECTIVE JUROR: Just some articles I read
10 online, nothing really too in-depth.

11 THE COURT: Do you have any opinions about innocence
12 or guilt?

13 PROSPECTIVE JUROR: No.

14 THE COURT: Do you have any reason you could not be
15 a fair and impartial juror?

16 PROSPECTIVE JUROR: No.

17 THE COURT: If you could return to your seat. You
18 are fine. Thank you.

19 Next Juror No. 17. Good morning.

20 PROSPECTIVE JUROR: Good morning.

21 THE COURT: Tell me what you know about this case.

22 PROSPECTIVE JUROR: So I just know that Murdaugh is
23 on the news and seen on social media and Post and Courier.

24 THE COURT: What kind of social media have you seen
25 other than just sort of commenting on this?

1 PROSPECTIVE JUROR: Mostly just headlines from the,
2 like, Post and Courier, Live 5, his crimes.

3 THE COURT: Do you know anything about Mr. Laffitte,
4 any particular issues relating to the bank or anything like
5 that?

6 PROSPECTIVE JUROR: I just know that he mentioned
7 he's a banker.

8 THE COURT: That's the extent of that?

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: Do you have any opinions as to innocence
11 or guilt? You need to say yes or no.

12 PROSPECTIVE JUROR: No.

13 THE COURT: And do you have -- is there any reason
14 you could not be a fair and impartial juror?

15 PROSPECTIVE JUROR: I don't think so.

16 THE COURT: Good. I'm going to send you back to
17 your chair. Thank you.

18 Juror No. 172. Good morning.

19 PROSPECTIVE JUROR: Good morning.

20 THE COURT: Thank you for being here.

21 PROSPECTIVE JUROR: Of course.

22 THE COURT: Tell me what you know about this case.

23 PROSPECTIVE JUROR: Mostly on the Murdaugh side,
24 just everything that I've seen on TV and podcasts.

25 THE COURT: Tell me about the podcasts you've seen

1 or heard, listened to.

2 PROSPECTIVE JUROR: Several. I don't know the names
3 of some of them, but mostly, like, documentaries on Netflix.

4 THE COURT: You've seen a Netflix --

5 PROSPECTIVE JUROR: On ID channel, just shows that
6 have been on there.

7 THE COURT: Okay. And do you have any opinions as
8 to the innocence or guilt, watching all this stuff?

9 PROSPECTIVE JUROR: No, I guess not. I mean --

10 THE COURT: Well, I don't need you to guess. Do you
11 have any feelings about this since you followed it pretty
12 closely?

13 PROSPECTIVE JUROR: I mean, yes. I do have feelings
14 about whether he's guilty or not. But I don't know
15 necessarily much on Russell, I guess.

16 THE COURT: You are talking about innocence or guilt
17 of Murdaugh himself?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: How about the defendant here, Laffitte,
20 do you have any opinions about that?

21 PROSPECTIVE JUROR: I don't, no. I don't know that
22 much into it.

23 THE COURT: Do you have any reason you could not be
24 a fair and impartial juror in this case?

25 PROSPECTIVE JUROR: No, not at all.

1 THE COURT: Okay. And is there anything about what
2 you know that would cause you concern that you could not make
3 an independent and fair judgment?

4 PROSPECTIVE JUROR: No, not at all.

5 THE COURT: I'm going to have you return to your
6 seat.

7 Before we go, this is the first person I've had
8 who's listened to some of this but appears to know very
9 little about the defendant. I am not going to disqualify
10 her. Any objection to that?

11 MR. DANIEL: I do object for the record, Your Honor,
12 because the podcast scares the heck out of us.

13 THE COURT: I can understand that.

14 MR. DANIEL: And it does discuss Laffitte and it
15 does discuss -- I mean, has strong opinions of guilt.

16 THE COURT: I will revisit this. This one I will
17 come back to.

18 Okay. Juror No. 81. Good morning. How are you?
19 Thank you for being here.

20 PROSPECTIVE JUROR: Absolutely.

21 THE COURT: And tell me what you know about this
22 case.

23 PROSPECTIVE JUROR: Just what we've seen in the
24 newspaper and on TV, which I think may have been a Netflix
25 special. That's about it. Yeah. I think it's Netflix is

1 what it ran on. I am not really sure. My sister and mother
2 were watching it when I came in. And I just kind of sat down
3 and we watched it together.

4 THE COURT: Do you have any opinions regarding this
5 case?

6 PROSPECTIVE JUROR: No.

7 THE COURT: Do you have any ideas about innocence or
8 guilt?

9 PROSPECTIVE JUROR: I have no idea. You have to get
10 the whole story before you can decide that.

11 THE COURT: Is there any reason you could not be a
12 fair and impartial juror?

13 PROSPECTIVE JUROR: No.

14 THE COURT: I'm going to send you back to your
15 chair. Thank you.

16 Juror No. 55. Good morning, sir.

17 PROSPECTIVE JUROR: Good morning.

18 THE COURT: Tell me what you know about this case.

19 PROSPECTIVE JUROR: I've read the articles in the
20 Post and Courier published yesterday and this morning. I
21 didn't know that was going to be the case today, but, you
22 know, about the allegations of fraud and embezzlement of
23 investors in alleged colluding with Mr. Murdaugh.

24 THE COURT: You read that in the paper the last
25 couple of days?

1 PROSPECTIVE JUROR: Yes, sir.

2 THE COURT: Do you have any opinions as to whether
3 the defendant is innocence or guilty?

4 PROSPECTIVE JUROR: I presume he's innocent.

5 THE COURT: You presume he's innocent?

6 PROSPECTIVE JUROR: That's my understanding of
7 what -- that you go into the case with that assumption.

8 THE COURT: And you have the presumption that he's
9 innocent?

10 PROSPECTIVE JUROR: Yes, I do. And it's up to the
11 Government to prove otherwise beyond a reasonable doubt.

12 THE COURT: Is there any reason you could not be a
13 fair and impartial juror in this case?

14 PROSPECTIVE JUROR: No, Your Honor, I don't think
15 so.

16 THE COURT: Very good. I'm going to have you return
17 to your seat.

18 Next juror, Juror No. 115. Good morning.

19 PROSPECTIVE JUROR: Good morning.

20 THE COURT: Thank you for being here. Tell me what
21 you know about this case.

22 PROSPECTIVE JUROR: I was vaguely aware of
23 headlines, co-worker conversations of murder for hire.

24 THE COURT: Actually, that's not part of this case.
25 This case is about banking.

1 PROSPECTIVE JUROR: Right. So just Alex Murdaugh is
2 all I know.

3 THE COURT: You don't know the anything about this
4 defendant?

5 PROSPECTIVE JUROR: No.

6 THE COURT: Do you know anything about the innocence
7 or guilt of this defendant?

8 PROSPECTIVE JUROR: No.

9 THE COURT: Any reason you could not be a fair and
10 impartial juror?

11 PROSPECTIVE JUROR: No.

12 THE COURT: I will send you back to your seat.
13 Thank you.

14 Juror No. 189. Good morning.

15 PROSPECTIVE JUROR: How are you?

16 THE COURT: Thank you for being here. Tell me what
17 you know about this case.

18 PROSPECTIVE JUROR: I've just watched things on the
19 news and watched Dateline and that kind of thing. But I
20 really don't know anything about this particular defendant.
21 I just heard comments about Mr. Murdaugh.

22 THE COURT: Okay. She said she doesn't know
23 anything about the defendant. She just knows about Murdaugh.

24 MR. DANIEL: You watched something on TV?

25 PROSPECTIVE JUROR: I watched Dateline.

1 THE COURT: And do you have any opinions as to the
2 innocence or guilt of the defendant?

3 PROSPECTIVE JUROR: I believe I could just listen to
4 the evidence.

5 THE COURT: You feel like you could be a fair and
6 impartial juror?

7 PROSPECTIVE JUROR: Yes.

8 THE COURT: Very good. If you could return to your
9 seat.

10 Next. Juror No. 121. Good morning.

11 PROSPECTIVE JUROR: Good morning.

12 THE COURT: Thank you for being here.

13 PROSPECTIVE JUROR: Yes. So I attended the
14 University of South Carolina and I personally know Buster and
15 B.J. On top of that, my mother, she went University of South
16 Carolina, she knows Maggie Murdaugh personally as well as her
17 best friend Caroline --

18 THE COURT: I think we are going to excuse you.
19 What do you think?

20 PROSPECTIVE JUROR: That's what I think too.

21 THE COURT: Thank you for coming. 121 is excused.

22 Juror No. 64. Yes, sir. If you could get a little
23 bit closer here. Thank you. Good morning.

24 PROSPECTIVE JUROR: Good morning.

25 THE COURT: Tell me what you know about this case.

1 PROSPECTIVE JUROR: Basically what you summarized,
2 an article online, whatever, just Mr. Russell, whatever his
3 name, is accused of helping Mr. Murdaugh.

4 THE COURT: Do you have any opinions as to innocence
5 or guilt?

6 PROSPECTIVE JUROR: Well, the news has already kind
7 of painted him as doing wrong, but I think I could be
8 impartial.

9 THE COURT: Well, it's important here. Do you have
10 any opinions as to whether he's likely innocent or guilty?

11 PROSPECTIVE JUROR: I don't know. I don't have an
12 opinion.

13 THE COURT: Okay. And do you feel like you could
14 listen to the evidence and make a decision?

15 PROSPECTIVE JUROR: Yes, I do.

16 THE COURT: Do you feel like you could be a fair and
17 impartial juror in this case?

18 PROSPECTIVE JUROR: Yes, sir.

19 THE COURT: Very good. I'm going to send you back
20 to your chair.

21 MR. DANIEL: We object to this juror.

22 THE COURT: I'm going to make a note.

23 Juror No. 77. How are you today?

24 PROSPECTIVE JUROR: I'm doing well. How are you?

25 THE COURT: Fine. Thank you for being here. Can

1 you tell me what you know about this case.

2 PROSPECTIVE JUROR: I've just listened to the
3 podcasts with Mandy Matney.

4 THE COURT: Okay. You've listened to more than one
5 of those?

6 PROSPECTIVE JUROR: Yeah.

7 THE COURT: And you've been following this pretty
8 closely?

9 PROSPECTIVE JUROR: Yeah.

10 THE COURT: Do you feel like you've sort of acquired
11 a lot of information from all of this?

12 PROSPECTIVE JUROR: Yes.

13 THE COURT: I'm going to excuse you.

14 PROSPECTIVE JUROR: Okay. Thank you.

15 THE COURT: That was 77.

16 Juror No. 180. Good morning. How are you today?

17 PROSPECTIVE JUROR: I'm good.

18 THE COURT: Tell me what you know about this case.

19 PROSPECTIVE JUROR: I just know it's a family that
20 died. That's all.

21 THE COURT: You need to get a little closer here.
22 Thank you. And do you have any knowledge about the defendant
23 here, Mr. Laffitte, any allegations?

24 PROSPECTIVE JUROR: No.

25 THE COURT: Is there any reason you could not be a

1 fair and impartial juror in this case?

2 PROSPECTIVE JUROR: No.

3 THE COURT: I'm going to send you back to your seat.
4 Thank you.

5 Juror No. 46.

6 PROSPECTIVE JUROR: Good morning, Your Honor.

7 THE COURT: Good morning. Eagles football, which
8 Eagles is that?

9 PROSPECTIVE JUROR: The good ones.

10 THE COURT: This year. Tell me what you know about
11 this case.

12 PROSPECTIVE JUROR: Basically I reside in Hampton,
13 South Carolina. So, of course, you know, you hear talking,
14 media coverage. And unrelated, but I guess kind of related,
15 the gentleman whose daughter was killed in the boating
16 accident works at the facility that I work at.

17 THE COURT: Beach.

18 PROSPECTIVE JUROR: Yes, sir.

19 THE COURT: I'm going to excuse you. Thank you,
20 sir.

21 Juror No. 130. Tell me what you know about this
22 case.

23 PROSPECTIVE JUROR: I've listened to podcasts. I
24 know about the boat incident, the mother and the son who were
25 murdered, that the family come from a line of solicitors.

1 That's about it.

2 THE COURT: Do you know anything about Mr. Laffitte
3 and the issues with the bank?

4 PROSPECTIVE JUROR: No.

5 THE COURT: Do you have any opinions as to the
6 innocence or guilt of this defendant?

7 PROSPECTIVE JUROR: No, I just have to go off the
8 information I receive.

9 THE COURT: And you feel like you could be a fair
10 and impartial juror?

11 PROSPECTIVE JUROR: Yes, sir.

12 THE COURT: And tell me about these podcasts you've
13 listen to. What have you heard?

14 PROSPECTIVE JUROR: It was on Apple. It was like
15 two or three episodes. At first they talked about the boat
16 incident with the son and one of the females got, you know,
17 killed or whatever. And then another episode is where
18 another young man is killed that they thought had something
19 to do with it.

20 THE COURT: That's all related to Mr. Murdaugh. You
21 don't know anything about Mr. Laffitte?

22 PROSPECTIVE JUROR: No.

23 THE COURT: I'm going to send you back to your
24 chair. Thank you.

25 Thank you. We are doing fine.

1 Juror No. 5. Good morning. Thank you for being
2 here. Tell me what you know about this case.

3 PROSPECTIVE JUROR: I know generally from the
4 national news, because I don't have a lot of time to read the
5 newspaper, because I work for a hotel. We're really, really
6 busy right now. So I just know about the situation with the
7 accident that happened and the fact that there's allegations
8 against another lawyer and a banker. That's all I know. I
9 don't know any details.

10 THE COURT: Do you have any -- have you reached any
11 opinions as to innocence or guilt?

12 PROSPECTIVE JUROR: No.

13 THE COURT: Do you feel like you could be a fair and
14 impartial juror in this case?

15 PROSPECTIVE JUROR: Yes.

16 THE COURT: I'm going to send you back to your
17 chair. Thank you.

18 Next. Tell me what you know about this case.

19 PROSPECTIVE JUROR: So I've listened to some
20 podcasts, watched the YouTube videos on it. Also, my job
21 services the Hampton County area. So there's been a lot of
22 talk at work.

23 PROSPECTIVE JUROR: Okay. I'm going to excuse you.

24 THE COURT REPORTER: What number?

25 THE COURT: 139.

1 Juror No. 119. Good morning. Thank you for being
2 here. Tell me what you know about this case.

3 PROSPECTIVE JUROR: Nothing really about this case,
4 but all of the Murdaugh case, the boat crash, and I know two
5 of the Beach family members. I just thought that might be
6 important.

7 THE COURT: Do you feel like your knowledge of the
8 Beach family members may affect your ability to be fair and
9 impartial here?

10 PROSPECTIVE JUROR: No. I just wanted as to make
11 sure everybody knows.

12 THE COURT: Okay. This case does not involve the
13 Beach family at all.

14 PROSPECTIVE JUROR: I just wanted to -- I didn't
15 want it to cause a problem later.

16 THE COURT: Do you know anything about Mr. Laffitte
17 and the charges?

18 PROSPECTIVE JUROR: Just what I've seen on the
19 headlines of the newspaper. I never read an article about
20 it.

21 THE COURT: Any reason you could not be a fair and
22 impartial juror in this case?

23 PROSPECTIVE JUROR: No.

24 THE COURT: I'm going to send you back to your seat.

25 Next, please. Juror No. 161. Yes, sir. Good

1 morning. Thank you for being here. Tell me what you know
2 about this case.

3 PROSPECTIVE JUROR: I have a nephew that worked for
4 Charleston County Sheriff's Department. He's doesn't work
5 there anymore. But there were just a lot of stories that he
6 was conveying, I guess.

7 THE COURT: I'm going to excuse you. Thank you,
8 sir.

9 Juror No. 74. Good morning, sir.

10 PROSPECTIVE JUROR: Good morning.

11 THE COURT: Thank you for being here. Tell me what
12 you know about this case.

13 PROSPECTIVE JUROR: I know nothing about this case.

14 THE COURT: You know nothing about this thing?

15 PROSPECTIVE JUROR: I don't know why we are here.

16 THE COURT: Come a little closer.

17 PROSPECTIVE JUROR: I don't know why we are here. I
18 don't believe in nothing.

19 THE COURT: I'm sorry?

20 PROSPECTIVE JUROR: I said I don't know why we are
21 here. I don't believe in all this, like a jury.

22 THE COURT: You don't understand about the jury?

23 PROSPECTIVE JUROR: Well, I wouldn't want to testify
24 for nobody.

25 THE COURT: Okay. I'm going to excuse you. Thank

1 you, sir.

2 Folks, he just seemed confused.

3 (Bench conference ends.)

4 THE COURT: I'm now going to ask counsel first for
5 the Government and then for the defendant to identify
6 themselves, their law firm, and to identify any witnesses
7 they may be calling. Let me warn everybody now, these
8 lawyers are going to list more witnesses than they are
9 actually going to call. But out of abundance of caution,
10 they will listen not only witnesses they are likely to call,
11 but they could possibly call.

12 Ms. Limehouse, please.

13 MS. LIMEHOUSE: Thank you, Your Honor. Good
14 morning, everyone. My name is Emily Limehouse. I'm an
15 Assistant United States Attorney here in Charleston. My
16 colleagues, Winston Holliday and Katie Stoughton, are going
17 to be trying this case with me. And they work in our
18 Columbia office.

19 I'm going to be calling various witness names.
20 These people work for the Palmetto State Bank in Hampton
21 County. They also work for the law firm Peters, Murdaugh,
22 Peters, Eltzroth & Detrick, in Hampton County. And you will
23 also hear other members of the public that I will identify:
24 Norris Laffitte, Jeanne Seckinger, Jan Malinowski, Ron
25 Crosby, Lee Cope, Mark Ball, Alania Plyler, Hannah Plyler,

1 Johnnie Parker, Cyndra Swinson, she works for the FBI,
2 Charles Laffitte, Spann Laffitte, Jim Gibson, Liz Malinowski,
3 Scott Swain, Lucius Laffitte, Becky Laffitte, Kyle Ward,
4 Sheila Odom, Irv Condon, Nancy Drawdy, Linda McElHaney,
5 Carrie Sauls, Doris Anne Bailey, Morgan Peoples, Arthur
6 Badger, Tiffany Provence, Natash Dash Thomas, Pamela
7 Pinckney, Malik Williams, Mark Altman, John Peters, Trenham
8 Walker, he's a lawyer here in Charleston, Timothy Rich, he
9 works for the FDIC in Atlanta, and Brian Womble, he's a
10 special agent with the FBI.

11 THE COURT: Very good.

12 Mr. Daniel, can you please introduce yourself, your
13 lawyers, and the possible witnesses.

14 MR. DANIEL: Again, I'm Bart Daniel. And I
15 represent Mr. Russell Laffitte, along with my partner Matt
16 Austin, Josh Myers. We've got our legal assistant, Elizabeth
17 Todd and paralegal, Grace Hamill, here. And I will read -- I
18 will have to use my glasses to read, but I will read our list
19 that we may be calling for trial.

20 The first one is Tiffany Provence, next is Grayson
21 Tuck, Charles Laffitte, Jr., Gray Henderson, Elizabeth
22 Laffitte Malinowski, Jan Malinowski, Dr. Henry L. Laffitte
23 Jr., Charles A. Laffitte III, H. Spann Laffitte, H. Lucas --
24 Lucius Laffitte, Jr., Rebecca Laffitte, John Peters, Norris
25 Laffitte, James Gibson, Chad Westendorf, Chastity Malphrus,

1 Nancy Drawdy, Morgan Peoples, John Parker, Ronnie Crosby,
2 Mark Ball, League Creech, John Parker, Jr., Daniel Henderson,
3 Neil Alger, Randolph Murdaugh, IV, Mary Bass Lohr, Lee Cope,
4 Matt Creech, Graham Holmes, Austin Crosby, William Barnes,
5 Jeanne Seckinger, James Christopher, Chris Wilson, James
6 Randall Drawdy, Trenholm Walker, Alex Murdaugh, John Marvin
7 Murdaugh, Susie Laffitte, Carter Laffitte, and Beth Chapin.

8 THE COURT: And, Mr. Daniel, I may have not heard.
9 If you could name your law firm, please.

10 MR. DANIEL: I am so sorry. Mr. Myers, Mr. Matt
11 Austin and Josh Myers and I, along with rest of our legal
12 team, is at the law firm of Nelson Mullins Riley &
13 Scarborough. And we are just right down the street.

14 THE COURT: Thank you, sir.

15 Ladies and gentlemen, I'm first going to ask you
16 about the lawyers and the law firm. Has any member -- and
17 those are the lawyers you've heard and from the offices, the
18 U.S. Attorney's Office and Nelson Mullins Law Firm. Has any
19 member of the jury panel or any member of your immediate
20 family ever had any type of association with these attorneys
21 or their law firms? By that I mean, have you or any member
22 of your family ever been represented by them in a legal
23 matter, been employed by them, or had any social relationship
24 with them? If so, please stand.

25 I'm going to have you come forward, please, ma'am.

1 (Whereupon, the following bench conference takes
2 place):

3 THE COURT: Juror No. 40. Yes, ma'am. Who do you
4 know?

5 PROSPECTIVE JUROR: My brother-in-law was previously
6 employed by Nelson Mullins in Greenville.

7 THE COURT: Okay. And he's no longer employed
8 there?

9 PROSPECTIVE JUROR: He's retired.

10 THE COURT: Retired. And who is your
11 brother-in-law?

12 PROSPECTIVE JUROR: Sonny Graves or Jennings L.
13 Graves.

14 THE COURT: And does the fact that your
15 brother-in-law has been previously associated with the
16 defendant's law firm, counsel's law firm, does that affect
17 your ability to be fair and impartial in this case?

18 PROSPECTIVE JUROR: I don't think so.

19 THE COURT: You say you don't think so?

20 PROSPECTIVE JUROR: No, it does not.

21 THE COURT: It does not? You feel like you can be
22 fair and impartial?

23 PROSPECTIVE JUROR: Yeah. He's been retired now
24 five or six years.

25 THE COURT: I'm going to have you return to your

1 seat.

2 (Bench conference ends.)

3 THE COURT: Has any member of the jury panel or any
4 member of your immediate family ever had any type of personal
5 relationship with the parties? The defendant here is Russell
6 Laffitte. And I'm also going to ask you about his prior
7 employer, the Palmetto State Bank. So by personal
8 relationship, I mean the following: Are you personally
9 acquainted with, related by blood or marriage, had any
10 business dealings with, had any employment relationship with,
11 or had any stock ownership in Palmetto State Bank. If any of
12 that, any type of personal relationship like that, please
13 stand. I'm going to have you come forward, please.

14 (Whereupon, the following bench conference takes
15 place):

16 THE COURT: Hello again. Tell me about it.

17 PROSPECTIVE JUROR: I work for a real estate --
18 well, actually, I work for a law firm. Alysoun Eversole owns
19 the law firm out of Beaufort. And I've been with her for a
20 year. And she does real estate. So we deal with Palmetto
21 State Bank and Jan Malinowski. Also my former employer,
22 Gilbert Law Firm, who's out of Beaufort as well, real
23 estate -- I was a real estate paralegal and helped him with
24 that. We dealt with them there and with --

25 THE COURT: So you've had a good bit of business

1 relationship with Palmetto State Bank?

2 PROSPECTIVE JUROR: Yes, just through mortgages and
3 stuff, real estate closings.

4 THE COURT: Do you know anything about this
5 particular case?

6 PROSPECTIVE JUROR: Only -- not from that
7 standpoint, only with what we've heard in the media. That's
8 it.

9 THE COURT: And do you have any reason you could not
10 be a fair and impartial juror?

11 PROSPECTIVE JUROR: No.

12 THE COURT: I'm going to send you back to your
13 chair. That was 81.

14 MS. LIMEHOUSE: This is substantially related to
15 loan process, specifically real estate.

16 THE COURT: I'm going to excuse Juror 81. I agree
17 with that.

18 (Bench conference ends.)

19 THE COURT: I'm going to excuse Juror 81.

20 I now want to ask you about the law firm of Peters,
21 Murdaugh, Parker, Eltzroth & Detrick. And I'm inquiring
22 whether there's any personal relationship with that law firm
23 and are you personally acquainted with that Law Firm, related
24 by blood or marriage, had any business dealings with that Law
25 Firm, had any employment relationship with that law firm? If

1 so, please stand.

2 (No response.)

3 THE COURT: Let the record show no one has stood.
4 You heard a long line of witnesses by both the United States
5 Attorney's Office and by the defense counsel. Do you know
6 any member -- do you know any of those individual prospective
7 witnesses that were identified? If so, please stand, if you
8 know any one of them.

9 I'm going to have you come forward, please.

10 (Whereupon, the following bench conference takes
11 place):

12 THE COURT: Juror No. 119. Yes, ma'am. Who do you
13 know?

14 PROSPECTIVE JUROR: League Creech.

15 THE COURT: And these are witnesses?

16 MS. LIMEHOUSE: For the law firm.

17 THE COURT: How do you happen to know them?

18 PROSPECTIVE JUROR: I used to babysit the oldest
19 daughter.

20 THE COURT: Okay. I'm going to excuse you.

21 PROSPECTIVE JUROR: Okay.

22 THE COURT: Thank you.

23 PROSPECTIVE JUROR: 119 is excused.

24 THE COURT: Juror No. 221. Yes?

25 PROSPECTIVE JUROR: Mary Bass Lohr's husband used to

1 work for me, but I don't know her personally.

2 THE COURT: Mary Bass Lohr, who is that?

3 MR. AUSTIN: She works in the law firm.

4 THE COURT: So her husband used to work for you?
5 What kind of work do you do?

6 PROSPECTIVE JUROR: Yes, sir. I worked at the
7 hospital. It was about five years ago.

8 THE COURT: Does the fact that you knew the husband
9 of this prospective witness, and you don't know the witness,
10 affect your ability to be fair and impartial in this case?

11 PROSPECTIVE JUROR: No, sir, not at all.

12 THE COURT: You feel like you could be a fair and
13 impartial --

14 PROSPECTIVE JUROR: I feel I can.

15 THE COURT: I'm going to send you back to your
16 chair. Thank you.

17 (Bench conference ends.)

18 THE COURT: Ladies and gentlemen, if you are
19 selected to sit as a juror in this case, then in reaching
20 your verdict, you must be able to render a verdict solely on
21 the evidence presented at trial and in the context of the law
22 as I explain it to you in my instructions, disregarding any
23 ideas or beliefs that may have -- you may have previously had
24 about the facts or the law. If you feel you cannot do this,
25 please stand.

1 (No response.)

2 THE COURT: Let the record show no one has stood.

3 I have asked a number of folks already when I asked
4 about personal knowledge, have you read, watched any program
5 or listened to any podcasts about this case. And so
6 excluding people who have already come forward and spoken to
7 me about that, has anyone read, watched any program, or
8 listened to any podcasts about the case that has not come
9 forward already?

10 (No response.)

11 THE COURT: Let the record show no one has stood.

12 Has anyone posted anything on social media or shared
13 articles about the case with anyone? If so, please stand.

14 (No response.)

15 THE COURT: Let the record show no one has stood.

16 Have you or any member of your immediate family been a victim
17 of a fraudulent or dishonest scheme which resulted in a
18 significant loss of money? If so, please stand. If you
19 could come forward, sir.

20 (Whereupon, the following bench conference takes
21 place):

22 THE COURT: Juror No. 173. Yes, sir. Tell me about
23 this.

24 PROSPECTIVE JUROR: We had a Navy Federal Credit
25 Union. Checks were stolen. They were copied. And they were

1 used to transfer money out of my account into their account.

2 THE COURT: Okay. And did they catch them?

3 PROSPECTIVE JUROR: They didn't catch them but the
4 bank did reimbursement us.

5 THE COURT: Good. Does the fact of that experience
6 affect your ability to be a fair and impartial juror in this
7 case where there are allegations of fraud?

8 PROSPECTIVE JUROR: I can't really say so. I can't
9 really say that it will, in other words. In other words,
10 we've gone away from paper checks. We've gone away from that
11 kind of thing.

12 THE COURT: My question is, is there anything about
13 that experience that would affect your ability to be a fair
14 and impartial juror in this case?

15 PROSPECTIVE JUROR: I don't think so.

16 THE COURT: Well, I don't want you to say "think".
17 Are you confident you can be fair and impartial?

18 PROSPECTIVE JUROR: Yes.

19 THE COURT: I'm going to have you return to your
20 seat.

21 Ladies and gentlemen, having heard the questions put
22 to you and the factual summary I previously provided, is
23 there any reason why you could not sit on this jury and
24 render a fair verdict based on the evidence presented to you
25 and in the context of the Court's instructions on the law?

1 If you feel like you can't be a fair and impartial juror for
2 any reason, please stand.

3 (No response.)

4 THE COURT: Let the record show that no one has
5 stood. Let me ask counsel to approach for a moment.

6 (Whereupon, the following bench conference takes
7 place):

8 THE COURT: I had two prospective jurors that the
9 defendant has identified as objecting to. Those are No. 172
10 and No. 64. Are there any others?

11 MR. DANIEL: No, Your Honor.

12 THE COURT: I'm going to excuse Juror No. 172 and
13 Juror 64.

14 (Bench conference ends.)

15 THE COURT: I'm going to excuse Jurors 172 and 64.
16 You are free to leave.

17 Ladies and gentlemen, we've got a little bit of
18 computer work to do here. If you want to take a brief
19 restroom break or step out in the hall, just you need to stay
20 immediately around because we will need to suddenly get you
21 back in. But if you want to stretch your legs for a minute,
22 that would be fine.

23 Counsel, 20 minutes. Ladies and gentlemen, you can
24 be at ease for at least 20 minutes, if you want to stretch
25 for a moment, but don't leave the immediate area, because we

1 will be proceeding with jury selection in just a moment.

2 (Whereupon, a recess transpired.)

3 THE COURT: Is the Government ready to strike?

4 MS. LIMEHOUSE: We are, Your Honor.

5 THE COURT: Is the defense ready to strike?

6 MR. DANIEL: Yes, Your Honor.

7 THE COURT: Very good. I want to remind everyone
8 that we use the random number on the left.

9 Ms. Perry.

10 THE COURT DEPUTY: Government?

11 MS. LIMEHOUSE: Government strikes Juror No. 9.

12 THE COURT DEPUTY: The Government strikes Juror No.
13 9.

14 Defendant?

15 MR. AUSTIN: Defendant strikes 141.

16 THE COURT DEPUTY: Is that the random number?

17 THE COURT: Random number.

18 MR. AUSTIN: No. 3. Apologies.

19 THE COURT DEPUTY: Defendant strikes No. 3.

20 MS. LIMEHOUSE: The Government strikes Juror No. 15.

21 THE COURT DEPUTY: Random No. 15.

22 Defendant?

23 MR. AUSTIN: The defendant strikes Random No. 14.

24 THE COURT DEPUTY: Defendant strikes No. 14.

25 MS. LIMEHOUSE: Government strikes Juror No. 4.

1 THE COURT DEPUTY: Government strikes No. 4.
2 MR. AUSTIN: The defendant strikes No. 16.
3 THE COURT DEPUTY: Defendant strikes No. 16.
4 MS. LIMEHOUSE: Government strikes Juror No. 20.
5 THE COURT DEPUTY: The Government strikes No. 20.
6 MR. AUSTIN: The defendant strikes No. 35.
7 THE COURT DEPUTY: The defendant strikes No. 35.
8 MS. LIMEHOUSE: Government strikes Juror No. 21.
9 THE COURT DEPUTY: Government strikes No. 21.
10 MR. AUSTIN: Defendant strikes No. 36.
11 THE COURT DEPUTY: Defendant strikes 36.
12 MS. LIMEHOUSE: Government strikes Juror No. 22.
13 THE COURT DEPUTY: Government strikes No. 22.
14 And the remaining strikes for the defense? Five
15 strikes remaining until we reach the two strikes each at the
16 end. Okay? Defendant has five strikes left.
17 MR. AUSTIN: No. 6.
18 THE COURT DEPUTY: No. 6?
19 MR. AUSTIN: Yes, ma'am.
20 THE COURT DEPUTY: Okay. You have four more.
21 MR. AUSTIN: No. 109.
22 THE COURT: No, random numbers.
23 MR. AUSTIN: I apologize. No. 12.
24 THE COURT DEPUTY: No. 12.
25 MR. AUSTIN: 13.

1 THE COURT DEPUTY: 13.

2 MR. AUSTIN: Yes, ma'am. No. 19.

3 THE COURT DEPUTY: 19.

4 MR. AUSTIN: Yes, ma'am.

5 THE COURT DEPUTY: One more.

6 MR. AUSTIN: And 32.

7 THE COURT DEPUTY: 32.

8 Now we have two strikes each remaining. We will go
9 one, two, one, two.

10 So Government?

11 MS. LIMEHOUSE: Government strikes Juror No. 1.

12 THE COURT DEPUTY: No. 1.

13 Defendant?

14 MR. AUSTIN: No. 8.

15 THE COURT DEPUTY: No. 8.

16 Government?

17 MS. LIMEHOUSE: Court's indulgence. Juror 10.

18 THE COURT DEPUTY: No. 10.

19 One remaining strike.

20 MR. AUSTIN: 17.

21 THE COURT DEPUTY: May I review the strikes? The
22 Government strikes Nos. 9, 15, 4, 20, 21, 22, 1, and 10; is
23 this correct?

24 MS. LIMEHOUSE: That's correct.

25 THE COURT DEPUTY: And the defendant strikes 3, 14,

1 16, 35, 36, 6, 12, 13, 19, 32, 8, and 17. Is this correct?

2 MR. AUSTIN: Yes, ma'am.

3 THE COURT DEPUTY: Would you like me to call them
4 up?

5 THE COURT: Yes. Please call them into the jury
6 box.

7 THE COURT DEPUTY: As I call your number, please
8 come forward and have a seat in the jury box.

9 No. 2.

10 THE COURT: No.

11 THE COURT DEPUTY: Oh, I'm sorry.

12 Juror No. 205, 17, 25, 88, 93, 173, 111, 55, 60, 9,
13 6, 189, 28, 13, 5, and 200.

14 JUROR: You said 60, not 50, right?

15 THE COURT DEPUTY: 60, yes, ma'am.

16 THE COURT: One didn't come up.

17 THE COURT DEPUTY: Juror No. 205, just raise your
18 hand if you are seated over there. 17, 25, 88, 93, 173, 111,
19 55, 60, 9, Juror 9.

20 THE COURT: That's who is missing. Juror 9. Not so
21 easy. We knew we were missing one.

22 Ladies and gentlemen, for those of you who have not
23 been selected, you are free to leave. Thank you for
24 attending.

25 (Whereupon, the venire leaves.)

1 THE COURT DEPUTY: Ladies and gentlemen of the jury,
2 please stand and raise your right hand and be sworn.

3 (Whereupon, the jury is sworn.)

4 THE COURT: Please be seated. Ladies and gentlemen,
5 thank you for your patience this morning. And I'm going to
6 provide you some -- opening instructions on your duties as a
7 juror. And just so you know the lay of the land, after I do
8 my opening charge, we are going to break for lunch. And what
9 we are going to do is, we are going to bring in lunch every
10 day for you. And you will be in this adjacent courtroom.
11 Y'all will have where the jury -- I spread you out a little
12 bit. You obviously can see we are very COVID conscious
13 around here. I know each of you are here as being good
14 citizens. And I want to protect you in every way that I can.

15 So let me provide you the opening charge. Members
16 of the jury, I will now give you some preliminary
17 instructions to guide your participation in this trial. It
18 will be your duty to find the facts from all the evidence in
19 the case. To those facts you must apply the law as I give it
20 to you at the conclusion of the trial. You must follow the
21 law as I give it to you whether you agree with it or not.
22 And you must not be influenced by any personal likes,
23 dislikes, opinions, or sympathy. That means you must decide
24 the case solely on the evidence before you and according to
25 the law. You must not read into anything I may say or do

1 during the course of the trial as any suggestion of what
2 verdict you should return. That is a matter entirely for you
3 to decide as members of the jury.

4 Let's talk about the types of evidence for a second.
5 You will decide the facts from the evidence. The different
6 types of evidence which may be presented in this case and
7 from which you are to decide the facts consist of the
8 following: First, the sworn testimony of witnesses, both
9 from direct examination and cross-examination, regardless of
10 whether the Government or the defendant calls the witness;
11 secondly, you will see exhibits that will be received into
12 evidence; and finally, any facts to which the lawyers will
13 stipulate, and that means they agree to it.

14 Let's talk about what is not evidence. You may
15 consider only the testimony and exhibits received into
16 evidence. Certain things are not evidence and you may not
17 consider them in deciding what the facts are. I will list
18 those for you now: Arguments and statements by lawyers are
19 not evidence. The lawyers are not witnesses. What they say
20 in their opening statement, closing arguments, and at other
21 times is intended to help you interpret the evidence, but it
22 itself is not evidence. If during the course of the trial
23 the facts as you remember them differ from the way the
24 lawyers have stated them, your memory of the facts controls.

25 Secondly, questions and objections by lawyers are

1 not evidence. Attorneys have a duty to their clients to
2 object when the attorneys believe a question is improper
3 under the Rules of Evidence. Don't hold it against the
4 lawyers. They are doing their job. You should not be
5 influenced by the objection or the Court's ruling on it.
6 Should the Court rule adversely, just put it aside.

7 Third, testimony that may be excluded or stricken
8 and that you may be instructed to disregard is not evidence
9 and must not be considered. In addition, if testimony or
10 exhibits are received into evidence only for a limited
11 purpose, and I will explain that to you at the time, you must
12 follow the limiting instruction that I give.

13 And, finally, anything you may see or hear when the
14 court is not in session is not evidence. You are to decide
15 the case solely on the evidence received at the trial.

16 Let's talk a moment about the difference between
17 direct and circumstantial evidence. There are two kinds of
18 evidence, direct and circumstantial. Direct evidence is the
19 direct proof of a fact, such as testimony of an eyewitness.

20 Circumstantial evidence is indirect evidence of a
21 fact that is proof of a chain of facts from which you could
22 find that another fact exists, even though it has not been
23 proven directly. It is for you to decide whether a fact has
24 been proven by circumstantial evidence. In making that
25 decision, you must consider all the evidence in light of

1 reason, common sense, and experience.

2 You are entitled to consider both direct and
3 circumstantial evidence. The law permits you to give equal
4 weight to both, but it is for you to decide how much weight
5 to give to any evidence.

6 Let's talk a moment about the credibility of
7 witnesses. In deciding what the facts are, you must consider
8 all the evidence. In doing this, you must decide which
9 testimony to believe and which testimony not to believe. You
10 may disbelieve any and all parts of any witness's testimony.

11 In making that decision, you must take into account
12 a number of factors. Let me list some of these. Was the
13 witness able to see or hear or know the things about which
14 that witness has testified? Secondly, how well was the
15 witness able to recall and describe those things? Third,
16 what is the witness's manner while testifying? Fourth, does
17 the witness have an interest in the outcome of the case or
18 any bias or prejudice concerning any party or any matter
19 involved? Fifth, how reasonable is the witness's testimony
20 considered in light of all the evidence in the case? Sixth,
21 was the witness's testimony contradicted by what the witness
22 has said or done at another time or by the testimony of other
23 witnesses or by other evidence?

24 In deciding whether or not to believe a witness,
25 keep in mind that people sometimes forget things. You need

1 to consider whether a contradiction is an innocence lapse of
2 memory or an intentional falsehood. And that may depend on
3 whether the contradiction has to do with an important fact or
4 only a little, small detail. In the end, you the jury must
5 decide whether to believe a witness's testimony. And you may
6 use some of the factors I just described in reaching that
7 decision.

8 Number of witness, the weight of the evidence
9 presented by each side does not depend on the number of
10 witnesses testifying on one side or the other. You must
11 consider all the evidence in the case. And you may decide,
12 for instance, that the testimony of a smaller number of
13 witnesses on one side has a greater weight than a larger
14 number of the other, or vice-versa.

15 Burden of proof, this is important. You must
16 presume the defendant is innocent of the charges, of the
17 crimes charged. The Government has the burden of proving
18 that the defendant is guilty beyond a reasonable doubt. And
19 if it fails to do so, you must find the defendant not guilty.
20 Thus, while the Government's burden of proof is a straight or
21 heavy burden, it is not necessary that the defendant's guilt
22 be proven beyond all possible doubt. Instead, it is a
23 requirement that the Government prove the defendant guilty
24 beyond a reasonable doubt.

25 Now let me briefly give you some instructions on the

1 law. In this case, the defendant, Russell Lucius Laffitte,
2 is charged with six offenses. In Count 1, the defendant is
3 charged with conspiracy to commit wire fraud and bank fraud.
4 The Government alleges that the defendant was involved in a
5 conspiracy with a bank customer to fraudulently obtain money
6 and property from the bank's customers, personal injury
7 clients, through false pretenses, representations, and
8 promises.

9 In Count 2, defendant is charged with a substantive
10 offense of bank fraud.

11 In Count 3, defendant is charged with a substantive
12 offense of wire fraud.

13 In Counts 4, 5 and 6, the defendant is charged with
14 the substantive offense of misapplication of bank funds.

15 These charges, ladies and gentlemen of the jury, are
16 simply allegations, which the defendant denies. The
17 defendant is presumed to be innocent. And the Government has
18 the burden of proving the defendant guilty beyond a
19 reasonable doubt.

20 Now, let me talk a little bit about the conduct of
21 the jury. You as jurors must decide the case solely on the
22 evidence presented here within the four walls of the
23 courtroom. This means that during the trial, you must not
24 conduct any independent research about the case. In other
25 words, you should not consult dictionaries or reference

1 materials, should not search the Internet, websites or blogs,
2 should not use any other electronic tools, such as social
3 media platforms, to obtain information about this case or
4 help you decide the case. Please do not try to find out
5 information from any source outside the confines of the
6 courtroom. You should avoid all media coverage during your
7 jury service. That includes newspapers, TVs, or any other
8 source.

9 Let me say something, folks. We have excellent
10 lawyers in this case. They will give you all the facts that
11 are appropriate for you to consider when weighing the
12 evidence. You've got the best seat in the house. Okay?
13 Nobody else is going to have it any better than what you have
14 right here.

15 You may not discuss this case with anyone. Now, let
16 me say this. You are going to go home and your significant
17 other or friends are going to say, oh, my goodness, tell me
18 about the case. Here's your answer, the judge told me I
19 couldn't talk about it. Okay. Blame me. Everybody else
20 does. Okay? I'm glad to take the blame. When the case is
21 over, you can share it to your heart's content. But we don't
22 want anyone saying anything to you or influencing you in any
23 way. I want you to get your information right here in the
24 courtroom. That's where you will make.

25 You should also not discuss the case with your

1 fellow jurors. Now, this may seem a little
2 counter-intuitive, but what we don't want you to do is to
3 hear the first witness and go back and decide among
4 yourselves the person is not guilty or guilty. That's just
5 not -- you need to hear all the evidence in the case. And so
6 I don't want you talking with your fellow jurors about the
7 case until you retire to deliberate at the end of the case.

8 And the purpose of this rule is to keep you from
9 committing yourself to a particular position before you've
10 heard all the evidence. You need to keep an open mind until
11 all the evidence is in and you start your deliberations at
12 the end of the evidence.

13 After you retire to deliberate, you may begin
14 discussing the case with your fellow jurors. But you cannot
15 discuss the case with anyone else until you have returned a
16 verdict and the case is at an end. If anyone, anyone should
17 try to talk to you about the case, bring it to my attention
18 promptly.

19 I know that many of you use cell phones, the
20 Internet and other tools of technology. You must not talk to
21 anyone about the case or use the tools to communicate
22 electronically with anyone about the case until you have
23 returned a verdict and the trial is over. No Facebook, no
24 Instagram, none of that. You all need to put it aside. When
25 it's over, you are free to do all the talking and sharing

1 that you wish. As I mentioned earlier, this includes your
2 family and friends. You may not communicate with anyone
3 about the case on your cell phone, through e-mail, or text
4 messaging, or by way of any social networking website or app,
5 including Facebook, Twitter, LinkedIn, Instagram, Tumbler,
6 Snapchat, TikTok, and YouTube.

7 During the trial you may take notes if you wish. I
8 know that my courtroom deputy's already provided you pads.
9 But if you do, you must leave them in your chair when you
10 leave the courtroom at the end of the day and in the
11 deliberation room at the end of the trial. Remember, these
12 notes are for your personal use only. They are not to be
13 given to anyone else. And in the deliberations, you
14 shouldn't show them to say, well, here's the evidence. Those
15 are for your use and your recollections.

16 Finally, do not form any opinion until all the
17 evidence is in. Keep an open mind until you start your
18 deliberations at the end of the case.

19 Ladies and gentlemen, you were selected because
20 these lawyers thought you could be fair and impartial. They
21 have reviewed your questionnaires. They had -- many of them
22 had encountered you when you came up to talk to me. And they
23 selected you because they knew you could be fair and
24 impartial. And I have every confidence you could fulfill
25 their expectations.

1 The trial will begin after lunch. What we will do
2 is we are going to break for lunch. And then after lunch, it
3 will begin with each side making an opening statement. I
4 want to remind you that an opening statement is neither
5 evidence nor argument. It is an outline of what the party
6 intends to prove. And it is offered to help you follow the
7 evidence.

8 After the opening statements, the Government will
9 present its witnesses. And the defendant may cross-examine
10 them. Then the defendant may present his witnesses. I want
11 to emphasize "may" because the defendant has no duty to prove
12 his innocence. Only the Government has the burden to prove
13 that the defendant is guilty beyond a reasonable doubt. If
14 the defendant does choose to present witnesses, the
15 Government may cross-examine them.

16 Finally, after the evidence is presented, the
17 parties will make their closing arguments to summarize and
18 interpret the evidence for you. And I will give you
19 instructions on the law. You will then deliberate on your
20 verdict.

21 The parties estimate this trial will take
22 approximately two weeks. I told you at the beginning, I'm
23 going to push them harder than that. Y'all's time and the
24 Court's time is important. We will get through it, but we've
25 got to take the time necessary. We are going to start every

1 morning at nine o'clock. Now, that means you need to get
2 here, because if one juror doesn't show up, we can't start.
3 So it's important that you come here a little early. We will
4 take a morning break. We will take a lunch break. We will
5 take an afternoon break. And we will stop each day between 5
6 and 6 p.m. I generally will do it based on -- you know, I
7 don't want to leave in the middle of a witness if I can avoid
8 that, I would like to get to the end of that witness. So we
9 are going to take the break now. And when we return, we will
10 begin with opening statements.

11 So, Ms. Perry, if we can lead out the jurors. And I
12 believe we want to flip off the -- very good. They will lead
13 you out now. You are going to go to that door.

14 (Jury leaves open court at 12:15 p.m.)

15 THE COURT: Okay. We will be seated just for a
16 moment. Any objection to the opening charge from the
17 Government?

18 MS. LIMEHOUSE: Not from the Government.

19 THE COURT: From the defense?

20 MR. DANIEL: Not from the defense, Your Honor.

21 THE COURT: Very good. Folks, we had talked
22 yesterday about exhibits that you may want to stipulate in.
23 Where are y'all on that?

24 MS. LIMEHOUSE: We have made substantial progress,
25 Your Honor. Mr. Holliday is going to be calling the first

1 witness. And we intend to move in to admit a bunch of
2 exhibits in advance of his direct examination. I can go
3 ahead and do it now if Your Honor prefers.

4 THE COURT: Well, I think I ought to do it in front
5 of the jury. But we will do it after the opening statement.
6 I want you to remind -- sometimes we all get moving and
7 you've got -- are these only your exhibits or are they Mr.
8 Daniel's exhibits be as well?

9 MS. LIMEHOUSE: They have some as well that we've
10 also agreed to admission.

11 THE COURT: Mr. Daniel, you will be prepared to move
12 those into evidence?

13 MR. DANIEL: Yes, Your Honor.

14 THE COURT: Okay. Very good. We are going to take
15 an hour break for lunch. And we will be back at 1:15 for
16 opening statements.

17 MS. LIMEHOUSE: Thank you, Your Honor.

18 (Luncheon recess was taken.)

19 (Whereupon, a bench conference takes place off the
20 record.)

21 THE COURT: I am told that one of our jurors has
22 revealed that she has a boyfriend who is having surgery in
23 the morning and he doesn't really have transportation. And
24 she's all -- didn't think she was going to be selected.
25 People drive me crazy. What do we want to do? I feel like

1 we need to let her go, because, otherwise, she's going to be
2 all stressed out about this. What do you think? I want to
3 consult with y'all.

4 MS. LIMEHOUSE: I don't know that we have a choice.

5 THE COURT: I don't know that we really have a
6 choice.

7 MR. HOLLIDAY: That's why we chose four, needed
8 three.

9 THE COURT: It's not a good start. One day we are
10 going to look back and say we should have kept her.

11 MS. LIMEHOUSE: Please don't tell me that.

12 THE COURT: Okay.

13 MR. HOLLIDAY: Is there a way first thing tomorrow
14 we couldn't delay by an hour and accommodate her?

15 THE COURT: It's surgery, yeah, he's having surgery.
16 I don't know any solution, practical solution. You want me
17 to send a marshal to give him a ride? Okay. I'm going to
18 tell her. Crystal, you can excuse her.

19 THE COURT DEPUTY: Okay. Let her go now?

20 THE COURT: Yes. Yes.

21 MR. DANIEL: Judge, if we could have two seconds.

22 (Whereupon, the bench conference ends.)

23 THE COURT: Okay. I understand that defense counsel
24 has an issue it needs to raise.

25 MR. DANIEL: Your Honor, we just have a couple of

1 housekeeping matters.

2 THE COURT: Go right ahead.

3 MR. DANIEL: Yes, Your Honor. The first is the
4 sequestration of witnesses, both sides have agreed on, agreed
5 to. And I mentioned to the Court yesterday, some of the
6 lawyers who represent witnesses were not here yesterday. And
7 they are -- some of them are in the courtroom.

8 THE COURT: You want me to say what I said
9 yesterday?

10 MR. DANIEL: Yes, Your Honor.

11 THE COURT: Well, let me just make it very clear
12 that sequestration is based on the principle that witnesses
13 do not know what other witnesses have testified to and what
14 exhibits had been admitted previously. And counsel who may
15 be representing witnesses are specifically instructed not to
16 share any information with your clients or anyone else
17 regarding information that you may glean while sitting in the
18 courtrooms. I'm talking, of course, about sequestered
19 witnesses. You cannot share any information with them or
20 provide it to someone else to share it with them. They are
21 sequestered for a reason. Is that satisfactory, Mr. Daniel?

22 MR. DANIEL: Yes, Your Honor.

23 THE COURT: What else?

24 MR. DANIEL: Second matter, as the Court is well
25 aware, Mr. Gressette and I have reached accommodation on the

1 additional redactions that the bank requested. And Mr.
2 Gressette was going to get those, the redacted copies to the
3 Court this morning in an e-mail. For some reason, he hadn't
4 gotten there yet. I'm very confident Mr. Gressette will have
5 them. But Mr. Austin is going to need to use them for the
6 first cross. So that's probably likely to be the first
7 witness that comes up. But we will have time, I believe. We
8 will try to remind Mr. Gressette by e-mail.

9 THE COURT: Get over here? Tell him I sent for him.

10 MS. LIMEHOUSE: I will note, Your Honor, we were
11 copied on communications about these redacted minutes. We
12 have not agreed to their admission yet. We are going to have
13 to review them, but we can do that during the
14 cross-examination.

15 THE COURT: Very good. Thank you.

16 MR. DANIEL: One final thing, Your Honor, in terms
17 of masks, while the respective sides are seated at their
18 table, is it okay to take off the mask?

19 THE COURT: Here's the problem. If you are
20 speaking, you leave the mask -- you take the mask off.
21 Otherwise, you need to keep the mask on. I want everyone to
22 be well, including my counsel. Okay? We are all sitting in
23 one room close. Then ventilation in this courthouse is not
24 great. And I want to keep everybody safe. I want us to get
25 it to the end and be healthy when we do it. Okay?

1 Mr. Austin, yes.

2 MR. AUSTIN: We originally intended to call Ms.
3 Susie Laffitte and her daughter Carter Laffitte. And we are
4 not going to call them anymore. They are in the courtroom
5 here. So we would ask that they not be --

6 THE COURT: No one is subject to sequestration who
7 will not be called. But once you allow them to sit in here,
8 they are struck at witnesses. Fair enough?

9 MR. AUSTIN: Fair enough.

10 THE COURT: Are we ready?

11 MS. LIMEHOUSE: We are, Your Honor.

12 THE COURT: Defense is ready?

13 MR. DANIEL: Yes, Your Honor.

14 THE COURT: Bring in the jury.

15 (Whereupon, the jury returns to open court at 1:27
16 p.m.)

17 THE COURT: Please be seated. Opening statements by
18 the Government.

19 MS. LIMEHOUSE: May it please the Court. Absolute
20 power corrupts absolutely. This case is about one of the
21 most powerful man in Hampton County, the defendant, Russell
22 Laffitte, the former CEO of the Palmetto State Bank and how
23 he conspired with another powerful man in Hampton County,
24 Alex Murdaugh, a former personal injury attorney, conspired
25 to steal nearly \$2 million from Murdaugh's personal injury

1 clients, clients to whom Laffitte owed an independent duty to
2 protect their funds.

3 And this case is also about the cover-up of that
4 conspiracy. In July of 2021, when Murdaugh's world was
5 completely unraveling, you will see how Laffitte moved money
6 around to cover up their conspiracy. Laffitte wired \$350,000
7 in bank funds to an attorney to whom Murdaugh owed money.
8 Six weeks later, Laffitte transferred \$400,000 of bank funds
9 into Murdaugh's personal bank account to cover his more than
10 \$367,000 in overdraft. Laffitte then tried to make the
11 \$750,000 in bank funds look like a legitimate loan to
12 Murdaugh to renovate his beach house, knowing that those
13 funds had been used for other purposes.

14 About a month later, Murdaugh's former law firm
15 discovered that he had stolen his client's money. And when
16 the law firm exposed Laffitte's role in the conspiracy,
17 Laffitte paid Murdaugh, Murdaugh's former law firm, \$680,000
18 in bank funds.

19 Let's start with the scheme to steal money from
20 Murdaugh's personal injury clients, charged in Count 1 of the
21 indictment. Laffitte used to run the Hampton branch of the
22 Palmetto State Bank. Alex Murdaugh used to be a personal
23 injury attorney at a law firm called Peters, Murdaugh,
24 Parker, Eltzroth & Detrick. Yes, it's a mouthful. So we
25 will call it PMPED or just the law firm.

1 Murdaugh and the other law partners banked at
2 Palmetto State Bank. And Laffitte was Murdaugh's point of
3 contact, and really served as Murdaugh's personal banker.
4 You will hear about exactly what types of cases the law firm
5 works on. But, essentially, when someone is injured in an
6 accident, they hire the law firm to sue the people that are
7 responsible for their injuries, tire and automobile
8 manufacturers, and the people that caused those injuries.
9 Laffitte served as a personal representative and a
10 conservator for some of these clients.

11 You will hear exactly what a personal representative
12 and a conservator is and does. But, essentially, it's
13 someone who is appointed by the probate court to look after
14 the money that is received by those clients. Now, most of
15 those clients were Murdaugh's clients, Hannah and Alania
16 Plyler, Hakeem Pinckney, Natasha Thomas and Arthur and Donna
17 Badger.

18 One other name you will hear is Malik Williams. He
19 was also a client of the law firm, but his lawyer was not
20 Murdaugh. So why will you hear his story? Because a lot of
21 the evidence will point to Russell Laffitte's personal
22 involvement. And to the extent Murdaugh was involved in the
23 other cases, he wasn't involved in Malik's case. We submit
24 that this evidence will show that Laffitte was a knowing and
25 willing participant in this scheme, often making the

1 decisions on exactly what to do with the money.

2 So how does a successful bank executive get involved
3 in a scheme to steal nearly \$2 million? It all started with
4 Hannah and Alania Plyler. Hannah and Alania Plyler were two
5 sisters who were involved in a horrific accident in 2005 when
6 their mother's Ford Explorer had a tire failure. At the time
7 Alania was 12 and Hannah was 8. Their mother and brother
8 were both killed in a car accident. And they hired Murdaugh
9 to represent them. They both received millions of dollars in
10 settlement funds in 2009, when Alania was 16 years old and
11 Hannah was 12.

12 Since they were so young, Laffitte was appointed to
13 serve as the conservator to manage those settlement funds
14 until they turned 18. In the summer of 2011, Laffitte began
15 engaging in self-dealing by loaning himself money at
16 favorable interest rates out of Hannah's conservatorship
17 account.

18 In July of 2011, Laffitte loaned himself the first
19 \$225,000 from Hannah's settlement funds. Laffitte continued
20 to extend himself loans from the account totaling \$355,000.
21 You will see Laffitte's bank records which demonstrate how
22 Laffitte used the loans he paid himself to pay off personal
23 loans he had obtained at another bank, loans he'd obtained at
24 a much higher interest rate. And he also used Hannah's money
25 for his own personal benefit, including to put a pool in and

1 for home improvements.

2 Laffitte not only gave himself loans from Hannah
3 Plyler's conservator account, but he also extended Murdaugh
4 loans unsecured from the account. A few months after
5 Laffitte gave himself that first \$225,000 loan, he loaned
6 Murdaugh \$90,000. At the time Murdaugh's bank account had a
7 negative balance, which you will hear me call "overdraft."
8 Laffitte transferred the money from Hannah Plyler's
9 conservatorship account to cover Murdaugh's overdraft. This
10 pattern repeated itself over and over again for the next
11 nearly three years.

12 Murdaugh's account would be a negative or near zero,
13 and Laffitte would transfer money from Hannah Plyler's
14 conservator account to cover that overdraft. You will see
15 e-mails between Laffitte and Murdaugh outlining how Laffitte
16 would transfer the money when Murdaugh was in overdraft
17 status.

18 Over the course of the nearly three years, Laffitte
19 gave Murdaugh 16 unsecured loans totaling more than \$950,000
20 from Hannah's money. This whole time Hannah was just a
21 teenager. She had no idea, and neither did her big sister,
22 Alania.

23 Now, Hannah's account was not the only conservator
24 account that Laffitte used to give Murdaugh unsecured loans.
25 Laffitte also transferred money from Malik Williams's

1 account. Malik Williams was injured in a car accident and
2 hired another partner at the law firm to handle his lawsuit.
3 Williams obtained a relatively small settlement. And
4 Laffitte was appointed to serve as a conservator over those
5 funds. Laffitte transferred \$40,000 from Malik's account.
6 And within weeks, Murdaugh spent it.

7 Now, there's no evidence in the probate files that
8 Laffitte sought or obtained approval from the probate court
9 before extending the loans to himself or to Murdaugh.
10 Instead, these loans were buried in the annual accounting
11 filed at the end of the year with stacks of documents.

12 But most importantly, the indictment does not allege
13 that the loans themselves, although questionable, were
14 illegal. What leads to the criminal charges is how they were
15 paid off. Even if you can loan yourself or someone else
16 money from a conservatorship account that you manage, you
17 cannot steal other people's money to pay those loans back.
18 Let me say that again. We are here today because you cannot
19 steal people's money to pay back loans.

20 This is where Natasha Thomas and Hakeem Pinckney and
21 Arthur and Donna Badger come into the story. Natasha Thomas
22 and Hakeem Pinckney were involved in a car accident in 2009.
23 You will hear from Natasha. And she will tell you how she
24 suffered some pretty bad injuries as a result and how her
25 cousin, Hakeem Pinckney was rendered a quadriplegic. Hakeem

1 later died following the accident. Laffitte was appointed to
2 serve as both Pinckney and Thomas's conservators. Pinckney
3 and Thomas both obtained large settlements following the
4 resolution of those civil claims.

5 But rather than manage the money in conservatorship
6 accounts, like he did for the Plyler girls, the evidence will
7 show that Laffitte and Murdaugh stole the money. Laffitte
8 signed disbursement sheets, the document that outlines
9 exactly where those settlement funds are supposed to go,
10 showing that Natasha Thomas and Hakeem Pinckney were supposed
11 to receive 325,000 and about \$310,000 respectively.

12 Murdaugh delivered the settlement checks to
13 Laffitte. The memo lines on those checks showed that they
14 were for settlement proceeds for Natasha Thomas and Hakeem
15 Pinckney. But rather than deposit the money into their
16 conservatorship accounts, Laffitte combined the two amounts
17 and then wrote out money orders and checks to people totally
18 unrelated to Hakeem Pinckney and Natasha Thomas. For
19 example, Laffitte issued \$100,000 money order to his father,
20 Charlie Laffitte. He also issued a money order for nearly
21 \$330,000 to Murdaugh's father. They then diverted thousands
22 of dollars in cash back and to Murdaugh's now-deceased wife
23 in additional money orders.

24 But Laffitte not only used the funds for their
25 personal purposes, he also used over \$180,000 of Natasha and

1 Hakeem Pinckney's money to pay back the loans that he had
2 extended from Hannah Plyler's conservatorship account, all to
3 cover his tracks.

4 Laffitte issued all of these money orders from
5 Pinckney and Thomas's settlement funds on the same day,
6 December 21st, 2011. The next day, December 22nd, 2005,
7 he -- 2011, he filed paperwork with the probate court
8 requesting that he be discharged from his role as
9 conservator, and indicating that there were no funds in the
10 conservatorship accounts.

11 Laffitte later converted a third settlement check
12 intended for Natasha Thomas totaling over -- a little over
13 \$25,000. And you would see how they cut the check into
14 smaller amounts, a technique called structuring so the bank
15 would not notice the large amount and become suspicious.

16 All this was not enough. Laffitte didn't just do
17 this with Natasha Thomas or Hakeem Pinckney's money. He did
18 it with the Arthur Badger's money as well. Arthur Badger and
19 his wife Donna were involved in a terrible accident in 2011.
20 Arthur was driving when he collided with a UPS truck as it
21 was taking a left turn when he attempted to pass. Arthur
22 lived, but his wife Donna died shortly after the accident,
23 leaving behind their six children who ranged in ages from 3
24 to 15.

25 Murdaugh asked Laffitte to serve as the personal

1 representative of Donna Badger's estate. Not long after the
2 settlement was reached, Laffitte and Murdaugh exchanged
3 e-mails, planning how to cut up Arthur's settlement money.
4 Murdaugh e-mailed Laffitte and asked Laffitte to e-mail him
5 and request that the law firm re-cut the settlement check.
6 Laffitte then sends Murdaugh a separate e-mail, asking that
7 the check be divided up according to Laffitte and Murdaugh's
8 math. Murdaugh then forwarded Laffitte's e-mail to law firm
9 staff. After receiving the e-mail from Laffitte, the
10 personal representative, the law firm then issued new
11 settlement checks. Thereafter, Laffitte negotiates these
12 checks for his and Murdaugh's benefit, over \$151,000 goes to
13 pay off the unsecured loans he extended to Murdaugh from
14 Plyler's conservatorship account. \$388,000 goes to Johnnie
15 Parker, another lawyer at the law firm, to pay back another
16 one of Murdaugh's personal loans. And \$75,000 goes to
17 Murdaugh's father.

18 A few months later, more of Arthur Badger's
19 settlement funds are negotiated. You will hear exactly where
20 this money goes. But, again, hundreds of thousands of
21 dollars, Laffitte deposits into Hannah Plyler's
22 conservatorship account to pay off the unsecured loans that
23 he gave Murdaugh. Laffitte also deposited more than \$80,000
24 into Murdaugh's personal bank account at Palmetto State Bank.

25 Laffitte wired settlement funds to purchase large

1 equipment and to buy cars, and gave Murdaugh thousands of
2 dollars in cash back.

3 One of the checks used to pay off Hannah Plyler's
4 loans is the subject of Count 2. And one of the checks
5 deposited into Murdaugh's personal bank account is a subject
6 of Count 3.

7 Now, why would Laffitte do all of this for Murdaugh?
8 Because Laffitte made hundreds of thousands of dollars to do
9 it. Not only did he give himself hundreds of thousands of
10 dollars in loans at favorable interest rates from Hannah
11 Plyler, but he also collected more than \$400,000 in
12 conservator and personal representative fees. Laffitte used
13 his position as personal representative and conservator to
14 enrich himself. Laffitte made over \$250,000 in conservator
15 fees just for managing the Plylers' conservatorship accounts.

16 But most notably, Laffitte made \$35,000 from Arthur
17 Badger, \$15,000 from Natasha Thomas, and \$60,000 from Hakeem
18 Pinckney. Yet, he never even met them in his capacity as
19 their conservator or personal representative. And he never
20 managed any money for them. Instead, he used nearly \$2
21 million in their settlement proceeds for his and Murdaugh's
22 personal benefit.

23 Now, Laffitte cannot reasonably claim that he did
24 not know the checks he negotiated belonged to Natasha Thomas,
25 Hakeem Pinckney, or Arthur Badger. Pay close attention to

1 the details. You will hear that Laffitte knew exactly when
2 and how the law firm paid Murdaugh in salary and bonuses.
3 You will see each one of these financial transactions. And
4 you will see how the checks paying Laffitte's PR and
5 conservator fees, fees he used to personally enrich himself
6 and payoff his loans to Hannah Plyler, were drafted in the
7 exact same way as the stolen settlement proceeds. You will
8 see how Laffitte and Murdaugh communicated about these
9 financial transactions.

10 And, remember, Laffitte owed a duty to protect each
11 of those individual settlement funds. And he was collecting
12 hundreds of thousands of dollars to do it.

13 Murdaugh was a lawyer. You may hear testimony that
14 when Laffitte was acting as a personal representative, he
15 stood in the shoes of the personal injury client. But
16 Laffitte cannot reasonably claim that he did any of this
17 because he relied on Murdaugh as his lawyer. Pay close
18 attention to the timeline. Ask yourself, if Laffitte claims
19 to have not known that the checks belonged to Natasha Thomas
20 or Hakeem Pinckney or Arthur Badger, how can he claim to be
21 relying on Murdaugh as their attorney when he negotiated
22 those checks? And common sense tells you that you cannot
23 rely on a lawyer to steal other people's money, especially
24 when you owed a duty to those individuals and were collecting
25 hundreds of thousands of dollars in fees.

1 The evidence will show that the whole point of
2 Laffitte's role as a personal representative and a
3 conservator was so that they could steal money, not a
4 legitimate attorney-client relationship.

5 Now, you heard how the Badger, Pinckney, and Thomas
6 money was used to pay off some of the loans from Hannah
7 Plyler's conservator account. But in 2015, Hannah Plyler was
8 turning 18 and her conservatorship had to be closed. But at
9 the time, both Laffitte and Murdaugh owed hundreds of
10 thousands of dollars on those loans.

11 So how did Laffitte pay those loans back? He first
12 reduced the amount he owed on those loans by the amount he
13 claimed he was due by serving as her conservator. Laffitte
14 then asked Johnnie Parker, a partner at the law firm, to loan
15 him \$245,000. He used that loan to pay off the Plyler loans.
16 And he's still paying off that loan to Johnnie Parker today.

17 When Hannah was turning 18, Murdaugh owed over
18 \$284,000 on the loans, exactly \$284,787.52. But Murdaugh did
19 not have the money to pay her back. In fact, he was
20 overdrafted on his personal account by more than \$85,000.
21 Laffitte extended him a \$500,000 line of credit of bank money
22 for purposes of farming. He then issued a cashier check from
23 that line of credit in the exact same amount Murdaugh owed
24 Hannah. And then he transferred the money into Hannah
25 Plyler's conservatorship account to pay off the loans. This

1 \$284,787.52 from the line of credit for purposes of farming
2 is the subject of Count 6.

3 You will hear testimony about how in 2015,
4 Laffitte's role and trajectory in the bank change. His
5 changing role changed the conspiracy. But with more power
6 came more problems. And that takes us to the cover-up.

7 By the summer of 2021, Murdaugh had been defending a
8 lawsuit related to the death of a young girl following a
9 boating accident while his son was allegedly driving.
10 Murdaugh's finances had been under intense scrutiny. The law
11 firm was concerned that Murdaugh had been hiding fees. And
12 on June the 7th, a law firm employee confronted Murdaugh
13 about missing fees from one of his cases. That night,
14 Murdaugh's wife and son were murdered on his farm.

15 Within a week of the murders, Murdaugh is
16 overdrafted on his personal account at Palmetto State Bank by
17 thousands of dollars yet again. The evidence will show that
18 Murdaugh's life was completely unraveling. Within weeks,
19 Murdaugh went to Laffitte in need of money. But by now,
20 Murdaugh is overdrafted on his personal account by more than
21 \$162,000. And he's maxed out on his line of credit.

22 On July 15th, 2021, Laffitte wired Chris Wilson, a
23 lawyer in Bamberg, South Carolina, \$350,000 of bank money at
24 Murdaugh's request. Laffitte then started the process of
25 trying to secure a second mortgage on Murdaugh's beach house

1 in Edisto. But the beach house was also in Murdaugh's wife's
2 name. And the house could not be used to secure a loan until
3 her estate had been probated. In the meantime, Laffitte
4 continued to allow Murdaugh to overdraw on his account by
5 hundreds of thousands of dollars. Each day that Murdaugh
6 wrote a check from the overdrafted account, the funds
7 appeared on a nonsufficient funds report. And Laffitte
8 approved the payments of the funds from that account.

9 Over the next six weeks, Murdaugh's overdraft status
10 deepened. But Laffitte continued to approve payments from
11 the account, including cash back, check to a man named Curtis
12 Eddie Smith, legal fees, and miscellaneous expenses.

13 By August the 9th of 2021, Murdaugh was more than
14 \$367,000 in overdraft. And on that morning, the morning of
15 August 9th, 2021, a concerned Board member from the bank,
16 Norris Laffitte, e-mailed Laffitte and other bank employees,
17 and asked them to prepare a summary of the bank's total
18 exposure with respect to Murdaugh. Within about an hour of
19 receiving that e-mail, Laffitte transfers \$400,000 in bank
20 money to Murdaugh's account to cover the overdraft.

21 Laffitte then directs other bank employees to
22 prepare a loan for \$750,000, the total between the \$350,000
23 wire to Chris Wilson and the \$400,000 to cover his overdraft.
24 Laffitte directed the bank employees to backdate the loan
25 paperwork to July 15th, the date of the first wire transfer.

1 You will then hear how Laffitte presented this loan
2 to the bank's Board of Directors as a second mortgage on the
3 beach house for purposes of renovations, knowing that the
4 funds had been used to pay off a lawyer and to cover his
5 overdraft.

6 You will hear about Palmetto State Bank bylaws and
7 policies. These bylaws and policies will talk about the
8 Executive Committee. You will learn in detail about the
9 Executive Committee. But it's essentially a committee of the
10 bank tasked with approving loans over a certain amount. The
11 this loan, beach house loan, was not properly presented to or
12 approved by the Executive Committee.

13 And to the extent you hear testimony that the loan
14 was approved by Laffitte, Laffitte's father and the chairman
15 of the Board, Charlie Laffitte, and his sister, Gray
16 Henderson, three members of the Executive Committee, their
17 support of the loan was not approval as required under the
18 bylaws. But importantly, regardless of whether his sister
19 and his father approved of the loan, bank employees cannot
20 give loans for purposes of beach house renovations if they
21 know that the funds were used to pay a lawyer and to cover
22 overdraft. This \$750,000 beach house loan is the subject of
23 Count 5.

24 Now, by the fall of 2021, Murdaugh is under
25 substantial public scrutiny. Murdaugh had stolen millions of

1 dollars from one of his client's estate, Gloria Satterfield.
2 Murdaugh had asked Chad Westendorf, another bank employee, to
3 serve as a personal representative for Gloria Satterfield's
4 estate. Now, unlike Laffitte, Westendorf did not negotiate
5 any settlement checks. And none of the funds were ever held
6 at Palmetto State Bank. But the bank had hired civil
7 attorneys to determine their liability, given Westendorf's
8 role as a personal representative.

9 By the end of October, the bank's Board had been
10 addressing the legal fallout from Murdaugh for weeks. But
11 they had not yet known Laffitte's role in the conspiracy. In
12 October, the law firm approached Laffitte about all of Arthur
13 Badger's settlement checks. On October 28th, Laffitte met
14 with some of the lawyers from the law firm and gave them a
15 check for \$680,000 to cover his tracks, money that came from
16 one of the bank's accounts. But Laffitte is not the bank.

17 That day, October 28th, Laffitte sent the Executive
18 Committee an e-mail, telling them that he had just paid the
19 law firm \$680,000, stating that he and the law firm had
20 agreed to split the loss from a settlement that Murdaugh
21 stole.

22 The next day, October 29th, Laffitte sent a similar
23 e-mail to the bank's Board telling them that "We converted
24 over \$1.1 million in checks." Laffitte did not have Board
25 approval or authority to give the law firm \$680,000 before he

1 handed that check over. And the law firm deposited the check
2 into their account on October 29th, the day after Laffitte
3 delivered it.

4 The Board met on October 31st and November 3rd, days
5 after Laffitte handed the check to the law firm and days
6 after the law firm deposited it. After Laffitte had
7 unilaterally paid the law firm, the Board was in
8 damage-control mode and tried to mitigate the loss to the
9 bank caused by Laffitte's actions. The Board asked their
10 attorney to try to negotiate an after-the-fact release of
11 liability from the law firm in exchange for the \$680,000 that
12 Laffitte had paid. But by the time the Board met on October
13 31st and November 3rd, the check was out the door. And
14 Laffitte had made it clear to the bank's attorneys that "It
15 was not an option to not pay."

16 But most importantly, during these Board meetings,
17 Laffitte did not tell the Board that the \$680,000 payment
18 represented half of the funds stolen from Arthur Badger, plus
19 Laffitte's \$35,000 personal representative fee. Laffitte did
20 not tell the Board that the money included more than \$150,000
21 in Badger funds that had been deposited at the Bank of
22 America, money that never even came to the Palmetto State
23 Bank. And Laffitte did not tell the Board how the Badger
24 money had been used, to pay off the unsecured loans that he
25 had extended Murdaugh from Hannah Plyler's conservatorship

1 account to pay off loans to Johnnie Parker, another lawyer at
2 the law firm, to buy farm equipment and cars and to pay
3 Murdaugh's wife and father.

4 The Board did not learn these details about the
5 stolen Badger funds until they learned the results of an
6 internal investigation in December of 2021, months after
7 Laffitte paid the law firm \$680,000. The Board's decision to
8 allow its lawyers to negotiate with the law firm in an effort
9 to mitigate the loss is a decision that they made completely
10 in the dark without the pertinent facts that only Laffitte
11 knew and Laffitte chose not to tell them. The Board did not
12 and could not have knowingly ratified Laffitte's payment of
13 those bank funds.

14 You will see in the bylaws that Laffitte, as CEO,
15 did not have authority to pay this check to the law firm
16 without notice or approval from the Board. Again, Laffitte
17 is not the bank. And you will see in the bylaws that Charlie
18 Laffitte, the chairman of the Board, also did not have
19 authority to make the payment without notice or approval.
20 Charlie Laffitte is also not the bank. The bank's bylaws do
21 not give the CEO or the chairman of the Board authority to
22 pay \$680,000 to cover up fraud. Laffitte's payment of the
23 \$680,000 is the conduct that underlies Count 4.

24 During the trial, you will hear from the accident
25 victims, Hannah and Alania Plyler, Natasha Thomas and Arthur

1 Badger. You will hear from the bank's Board members,
2 Laffitte's own family, lawyers from the law firm, and
3 employees from both the bank and the law firm. You will see
4 internal bank records, e-mails between Laffitte and Murdaugh,
5 and the paper trail left by all of these financial
6 transactions.

7 You will not hear or see any evidence that minimizes
8 the actions of Laffitte's co-conspirator, Alex Murdaugh. But
9 Murdaugh's actions do not absolve Laffitte of his own
10 responsibility for the role that he played in this
11 conspiracy.

12 And this trial focuses on Russell Laffitte. The
13 only decision that the Court will charge you with making is
14 the guilt of the person sitting at that table, and not the
15 guilt of someone who isn't. Russell Laffitte and his
16 co-conspirator, Alex Murdaugh, held absolute power in Hampton
17 County. Laffitte was the CEO of the most prominent community
18 bank in town. Alex Murdaugh was a partner in one of the most
19 prosperous law firms in the state. Their powerful positions
20 gave them the opportunity to do whatever they wished,
21 including using money belonging to Hannah Plyler, Natasha
22 Thomas, Hakeem Pinckney, and Arthur Badger, for their own
23 personal benefit. And their absolute corruption has brought
24 us here today.

25 Now, during the trial you will see evidence that

1 will answer your questions. And I will come back at the end
2 and I will help you to connect the dots. We appreciate your
3 attention and we feel confident that when you see the
4 evidence, you will return a verdict convicting Laffitte of
5 all counts charged in the indictment.

6 THE COURT: Opening statement by the defense.

7 MR. DANIEL: May it please the Court, Your Honor.

8 Ms. Limehouse said you cannot steal other people's
9 money to pay loans back. No truer words were spoken. We are
10 in full agreement. That is one proposition, one fact on
11 which we can all agree. You can't do that. Russell Laffitte
12 never did. Furthermore, you will see, you will learn
13 throughout the trial, the witnesses on that stand, the
14 written documentation, Russell Laffitte never received one
15 red cent of Alex Murdaugh's stolen money, not one plug
16 nickel.

17 Ladies and gentlemen, you met Russell Laffitte. You
18 met, of course, Josh Myers, our co-counsel, along with Matt
19 Austin. I would like you to also know that Russell's wife of
20 22 years, Susie, is in the audience with him, as well as his
21 daughter, who is a student at University of South Carolina,
22 who is actually doing virtual learning for the next week and
23 a half or so, however long this trial will last.

24 In addition, you've already met Ms. Todd, our legal
25 assistant, as well as Mr. Hamill, our paralegal. But I would

1 like you to also meet and know all about Dan who is sitting
2 over here, that masked man back there. Dan is our computer
3 guru who is actually the tech expert who is loading all the
4 exhibits and already has, in fact, so that you will be able
5 to see the exhibits on your screen in a nice large fashion
6 rather than have to strain your eyes with some of these
7 fine-print documents, the legal documents, or documents from
8 the bank.

9 Now, Judge Gergel has instructed you on the law sort
10 of throughout, really, particularly when you were with the
11 panel, but then again right before we started with the
12 opening statements. And you have sworn under oath to follow
13 that law as Judge Gergel has given it to you. One of the
14 most important laws he gave to you is based on the very
15 fabric of our country. And we all know what it is. You've
16 heard it a hundred times. And that is a defendant, someone
17 is innocent until proven guilty. And that someone -- the
18 Government has to prove that someone guilty beyond a
19 reasonable doubt. So you've promised us, you promised oath
20 to the judge, to the Court, but you've also promised us that
21 you would give Russell Laffitte the benefit of any doubt.

22 Now, as you know, another basic principle of our
23 country is that Russell Laffitte is not required to prove his
24 innocence. He's not required to come in here and take that
25 witness stand. But I tell you this, he will take that

1 witness stand. He will put his hand on this Bible and he
2 will swear to the good Lord. And he will tell you the truth.
3 He will tell you what happened. And he will tell you exactly
4 how it happened, each and every step of the way.

5 I couldn't keep him off that stand if I wanted to.
6 A team of wild horses couldn't keep Russell Laffitte off that
7 witness stand. He's been waiting until this day to be able
8 to tell the jury exactly what happened, just as he's told
9 others repeatedly. He's made mistakes. He will tell you
10 that. He let documents slip by him that Alex Murdaugh
11 slipped by him repeatedly, time and again, because he trusted
12 Alex Murdaugh, just like the lawyers at the Murdaugh law firm
13 trusted Alex Murdaugh, just as Alex Murdaugh slipped
14 documents by shrewd, sophisticated lawyers, some of the best
15 lawyers in the state of South Carolina.

16 So like Alex Murdaugh's law firm, they trusted,
17 Russell Laffitte also trusted Alex Murdaugh, like so many
18 other people, so many others. They trust him as a lawyer, as
19 law enforcement, assistant solicitor in Hampton County, and
20 as a customer and community leader for over 30 years.

21 So I want to remind you to keep your promise
22 throughout this trial, because it is an important sacred
23 promise, and that you give Russell Laffitte the benefit of
24 the doubt. You make the Government prove it to you. So what
25 I mean by that? What if I wake up in the morning, and I wake

1 up and read my morning newspaper, Post and Courier in my
2 case, or I look at the news on the I-Pad or you may look at
3 the news on the computer, and see the head lines, "Police
4 Arrest Serial Con Man." And under that headline it says,
5 "Stolen from the most vulnerable, the poorest of the poor."
6 And then you see a mug shot of a despicable-looking,
7 desperado-looking character, unshaven, disheveled. And you
8 say to yourself, I hope he gets what's coming to him, because
9 jail is too good for him.

10 But what if, on the other hand, you open that
11 newspaper or turn on that iPad, in your daily news feed, and
12 you get the headline this, "Local banker charged with aiding
13 and abetting serial con man." But instead of the photo
14 showing a disheveled, despicable desperado, it shows your
15 next-door neighbor, the same next-door neighbor who coached
16 your daughter's soccer team for two years, the same next-door
17 neighbor who brought drinks and snacks to your son's football
18 game. You might say to yourself, I don't believe it, I want
19 to make them prove that to me, they are going to have to
20 prove that to me, the Government has got to prove that to me
21 beyond a reasonable doubt. And that's the doubt we are
22 asking you to give Russell Laffitte.

23 Now, you are going to see throughout this trial --
24 and I want you to keep this in mind -- that Russell Laffitte
25 always acted in good faith. He always acted in good faith

1 and he always acted in what he thought was the best interest
2 of the bank.

3 Now, I will give you just a little brief background
4 of Russell Laffitte. I told you that he's going to take that
5 witness stand, and he certainly will. So you will learn much
6 more of his background. You will likely learn some of his
7 background through other witnesses. So I will give you a
8 little snapshot. 51 years old, born and raised in Hampton
9 County. Only time he ever left Hampton County was to go to
10 Newberry College for four years. And then he returned right
11 back to Hampton County.

12 Now, interestingly enough, when Russell graduated
13 from high school, he didn't go to college. He worked as a
14 farmer for five years. And then his father convinced him by
15 that time to go to college. He went up to Newberry for four
16 years, came right back home to Hampton County, and worked in
17 the Laffitte-owned family bank. You are going to learn a lot
18 about Laffittes. You are going to hear that throughout.
19 Because there's really two different sides of the family.
20 And you will learn, unfortunately, all about those two
21 different sides to the family. One side actually works at
22 the bank and has worked at the bank for generations, while
23 the other side no longer wants -- no longer works at the
24 bank. And they have sort of completely different interests
25 in the bank and with each other.

1 Now, he returned to Hampton and went to work at
2 Palmetto State Bank. First when he went there, he worked as
3 a teller and making small car loans for used cars and
4 whatever they needed. Eventually, the loan officer left and
5 he became the loan officer. And from that way forward, he
6 moved himself up, worked himself up all the way to eventually
7 becoming when some of these facts occurred either the loan
8 officer or the chief operating officer of the bank.

9 And then in 2020, in 2020, after his cousin, the
10 CEO, Sterling Laffitte, passed away from pancreatic cancer,
11 Russell Laffitte was elected unanimously by the Board to
12 serve as chief executive officer.

13 Now, you are going to learn throughout this case of
14 Russell Laffitte's extensive cooperation. But, you know, you
15 can tell the measure of a man how he, or woman, how they
16 react when they are confronted with something that's
17 completely shocking to them, whether they were complicit, a
18 conspirator on one hand, or whether they were shocked and
19 surprised and caught off guard like everyone else.

20 Russell Laffitte, when he was first contacted by the
21 lawyers over at the Parker Murdaugh law firm when all
22 this fraud -- excuse me, initiated, began, when Ronnie
23 Crosby, the lawyer called him, Russell said almost
24 immediately, but we were involved in that case. He said, let
25 me go check the file. And he went back and checked in the

1 deep records in the bank. And he learned right then. He
2 called Ronnie Crosby right back. He didn't think, how am I
3 going to cover this up? What am I going to do? How am I
4 going to cover my tracks? No. He caused Ronnie Crosby back
5 and said, you know what, it's on us. He said, I made a
6 mistake and we are going to be good for it. And he and
7 Ronnie Crosby worked up right there on the telephone of the
8 bank paying half and Ronnie Crosby's firm paid the other
9 half. So you will learn all about that.

10 But then in addition to working with the law firm,
11 and after that, he did gather additional documents for the
12 law firm, had additional conversations and discussions with
13 lawyers at the law firm, provided as much helpful information
14 he could to that firm, but then when the SLED agents began
15 their investigation, he immediately got with them. You will
16 hear all about that. The SLED investigation agents came to
17 the bank numerous times. And each time he provided helpful
18 information. And he went and found evidence, found
19 documents, found bank records going back as far as 2011 that
20 they didn't even know existed. And he would piece together
21 for them, they would figure out together, meeting after
22 meeting after meeting, he educated those SLED agents. And
23 many of the documents that you will see on the screens right
24 before you in evidence in this case are documents that
25 Russell Laffitte found in the bowels of that bank and gave to

1 the agents at the very outset when the investigation began.

2 The measure of a man when he's confronted is how he
3 reacts. And Russell not only answered each and every
4 question and got all these records, but he, again, pieced
5 things together as best he could, and they pieced them
6 together together.

7 But in addition to that, informal cooperation at the
8 very start, repeatedly, day after day, week after week, as
9 the agents were there on the ground in Hampton and at the
10 bank, the feds -- he also agreed to meet with the feds. He
11 was interviewed by the feds, the Assistant U.S. Attorney, the
12 FBI, the Assistant State Attorney General, and again,
13 additional SLED agents, in addition to the original agents,
14 who were there, told them full story. Provided them helpful
15 information. Answered every question. Could have plead the
16 Fifth. He didn't plead the Fifth. He told them everything.
17 He was an open book. He had been from the very start.

18 But the feds who came in the case late did not like
19 what Russell Laffitte was telling them. And that's because
20 it did not fit their narrative, their preconceived narrative.
21 Because they had made up their minds and were rushing to
22 indict.

23 Now, there's no denying that Alex Murdaugh's story
24 is a captivating one, statewide, yeah, maybe even worldwide.
25 It's the most unbelievable story anybody has ever heard. And

1 it has kept evolving day after day after day. It's a wild,
2 crazy story. In fact, if it were a Grisham novel, if it were
3 a John Grisham novel or movie, you would say, that could never
4 happen, that simply couldn't be true. But it is true.

5 And, see, so in the Government's rush to hold Alex
6 Murdaugh accountable, they lumped in Russell Laffitte. Alex
7 Murdaugh, you will see throughout this trial, tricked and
8 took advantage of Russell just as he did everyone else.

9 Now, let's talk a little bit about Alex Murdaugh.
10 Alex Murdaugh is a master manipulator and a world-class con
11 man. That's right, a world-class con man. I've been
12 practicing now 40-plus years. Federal prosecutor, then a
13 state prosecutor, and then now private practice. I've never
14 seen or come across a more complicated figure than Alex
15 Murdaugh, not in my long-time being a lawyer.

16 So you ask yourself, how did this happen? How in
17 the world? Well, surprisingly, part of that complicated
18 figure I told you about is, everyone trusted and many loved.
19 That's right, many loved Alex Murdaugh. You see, for three
20 generations in Hampton County, the Murdaugh name was
21 synonymous -- it was the very same with law enforcement.
22 Because, you see, Alex Murdaugh's grandfather, Buster
23 Murdaugh, was the legendary popularly elected solicitor or
24 district attorney, just like we have here in Charleston Ms.
25 Wilson.

1 And not only was he the elected solicitor, he became
2 a statewide legend, but Buster Murdaugh -- this is important
3 part, Buster Murdaugh also practiced law part-time at the
4 Peters Murdaugh and Parker law firm. And that's how he
5 original got his name. So while the grandfather was elected
6 solicitor, then Alex Murdaugh's father, Randolph Murdaugh,
7 when Buster Murdaugh was older and served his time, he
8 retired, Randolph Murdaugh ran as the popularly elected
9 solicitor, was elected in a landslide, and he became the top
10 chief law enforcement officer for the entire county, in fact,
11 for the entire judicial circuit, the 14th Judicial Circuit.

12 And he too, Randolph Murdaugh, Alex Murdaugh's
13 father, served in the powerful, prestigious Peter, Murdaugh
14 and Parker law firm. And like his grandfather and father
15 before him, Alex Murdaugh followed in their footsteps in the
16 Murdaugh family tradition working at the solicitor's office
17 and serving as a senior partner eventually in that
18 prestigious law firm, the Peters Murdaugh and Parker firm.

19 Now, some people like to say that the Peter Murdaugh
20 Parker was the best law firm in the Lowcountry. Some might
21 argue with that. But no one would argue that they were the
22 most successful financially in that part of the state.

23 And so I mentioned that Alex Murdaugh was the master
24 manipulator. But he was also an enigma or a complicated
25 puzzle, most complicated than most of us have ever seen and

1 probably you will ever hear about, as it was with me.
2 Because, you see, surprisingly, I told you people loved him,
3 he helped people in the community every day. He was friends
4 with everyone, rich and poor, black and white, town folks or
5 country folks on the farm. Alex Murdaugh, just like his
6 father and just like his grandfather, was the perfect
7 politician. He never met a stranger and he was friends with
8 everyone. And he was empathetic. He really seemed to care
9 for people.

10 Interestingly enough, you will hear testimony he
11 knew everyone's name. And not only did he know the adults
12 names and what they did for a living, he knew the children's
13 names. As a matter of fact, when he would see one of the
14 children on the street, he would might say, Sally, wow,
15 congratulations, that was a great soccer match y'all had last
16 week, you are still undefeated, that's quite impressive. He
17 might see Johnnie, Sally's brother, Johnnie, that was a tough
18 loss at Friday night's football game, but that's okay, you
19 will get them next week.

20 He knew and cared -- people will testify, they will
21 say, when Alex Murdaugh talked to you, you felt like you were
22 the most important person in the world. He never looked over
23 your shoulder to look for someone more important to talk to.
24 He talked to you. He looked in your soul. He looked in your
25 heart. And that's how he did it. He befriended everyone.

1 And you will see, you will hear testimony from that stand,
2 the poorest of the poor, he was good friends with. He was,
3 indeed, a very, very big personality.

4 But there was another side to Alex Murdaugh, a deep,
5 deep, dark side that no one saw, no one knew, not even his
6 closest friends, not even his family. Alex Murdaugh, you
7 will see, fooled a lot of good, hard-working people over
8 many, many years.

9 You will hear tell about going back to 2011, there
10 will be testimony that it went back much farther than that.
11 And you will hear the testimony. He fooled us here before, a
12 lot of good, hard-working people, including those that were
13 closest to him.

14 Over the next week and a half, you will learn just
15 how he did it. He tricked, fooled, and stole from his
16 clients, some of the poorest of the poor. He stole \$10,000
17 from a poor client who was one of the most vulnerable poorest
18 of the poor. He stole from his law partners, the people he
19 worked with every day. He even stole -- by not contributing
20 his fees to the firm, he ended up even stealing from the
21 staff when it would get to annual bonuses at Christmastime,
22 because there was less in that bonus pool because he had
23 stolen already. Stole from his closest friends. He tricked
24 and fooled and stole from his closest friends.

25 And, yes, finally, and saddest of all, he tricked

1 and fooled and stole from his very family, those who loved
2 him the most, those he was closest to, those he had lived
3 with and knew, for his closest friends, his family and
4 friends. Alex Murdaugh, the master manipulator, but he was
5 an equal opportunity thief. He will be described alternately
6 as an evil genius, but patient and cunning and brilliant.

7 And whether you were the chief -- excuse me, the
8 chief financial officer at the law firm, Jeanne Seckinger,
9 with an MBA and CPA degree, or whether you were Russell
10 Laffitte at Palmetto State Bank, or you were one of the
11 sophisticated, wealthy lawyers at the Parker Murdaugh firm,
12 or poor clients who he tricked and stole from, his MO, his
13 modus operandi, if you will, was always the same, always in a
14 rush, always in a hurry, always came in a deadline, always
15 wanted to stop by at lunchtime when there were very few
16 people around. Same with the law firm, always on Friday
17 afternoon to get somebody to slip a check in for one of his
18 partners to sign.

19 You will hear testimony he created a stream of
20 confusion. He created a stream of chaos. He created chaos
21 everywhere he went. And he did it when he wasn't stealing.
22 So it never seemed out of the ordinary. You will hear many
23 witnesses say, oh, well, I'm thought it was just Alex.
24 That's the way Alex was. That's the way Alex is. It was
25 cunning and it was intentional and it was patient, the whole

1 time, over 30 -- overall those years.

2 He fooled everyone the same way he fooled Russell
3 Laffitte. He fooled dozens -- no, tens of dozens of good,
4 hard-working, honest people and stole from them. He took
5 advantage of people's good faith. He took advantage of
6 people's honesty. He took advantage of people's trust in him
7 because they were just good, honest people. And he preyed
8 upon them. And he took advantage of that trust.

9 Now, the Government paints a narrative -- has
10 painted a narrative that Russell Laffitte and Alex Murdaugh
11 were close friends. Simply not true. Growing up, they lived
12 right next-door to each because the Murdaugh family and the
13 Laffitte family had been friends for generations. But Alex
14 Murdaugh was older by some 3 1/2 years of Russell. Now, they
15 didn't -- they never played on ball teams together. They
16 never hunted together. They never fished together. They
17 never played together as kids. They never really socialized
18 together when they grew up as adults.

19 Now, they ran in different circles. And you will
20 see, you will learn through the trial that Russell Laffitte
21 is mostly a homebody. He works hard at the bank, comes home,
22 eats with the family, with Susie and Carter and Luke, and
23 then may go back to work, but then come right back at a
24 reasonable hour. He's just not the kind of guy to go
25 partying around. Alex Murdaugh, on the other hand, life of

1 the party, always looking for a good time, always
2 socializing. You could see him always "holding court,"
3 telling stories, because he was a big, big figure who struck,
4 who struck a big figure in story telling.

5 But Russell was close friends with his brother, best
6 friends with John Marvin. And you will hear. John Marvin is
7 going to come in here and testify. John Marvin Murdaugh were
8 close friends with Russell. They were the same age. They
9 played on ball teams together. They hunted together. They
10 fished together. To this day, to this day, they are still
11 close friends, but they are much younger than Alex Murdaugh.

12 Now, Alex Murdaugh was a customer at Palmetto State
13 Bank, a very good customer, just like the other members of
14 that law firm were good customers. Good customer, just like
15 his father, Randolph, had been before that, just like his
16 grandfather, Buster, had been before that. Palmetto State
17 Bank, you will see, made a lot of money off of Alex Murdaugh
18 because they loaned him a bunch of money. Was he preferred
19 customer? You bet, just like any long-term customer of 30
20 years at Palmetto State Bank.

21 Simple farm folks, many struggling to make ends
22 meet, would come in there, go straight to Russell to get a
23 loan for a used car, many black people, many white people.
24 Russell Laffitte was friends with everybody because it was a
25 small town community bank. And banks get business from

1 people coming in and borrowing money and paying that money
2 back. Banks don't make any money if you are not loaning
3 money out.

4 So what did it mean to be a preferred customer?
5 Well, interestingly, Russell's office was right in the lobby.
6 So if he saw Jim, the carpenter, come in, Jim, the carpenter,
7 didn't have to ask to speak to Russell Laffitte. Russell
8 Laffitte went out there and greeted him and say, come in my
9 office, let's talk. And then they would conduct business
10 together. And the same with the plumber, same with the
11 farmer, and same with the lawyers at the Parker Law Firm.

12 Now, I'm winding up here, but I want to talk a
13 little bit about community banks. Community banks are not
14 big banks. They are much different than Bank of America or
15 Wells Fargo or JP Morgan. But one important thing to have in
16 common, both are heavily regulated and closely scrutinized.
17 There are three different groups that scrutinize Palmetto
18 State Bank and come to the bank. One, they are required to
19 hire outside auditors. And those auditors get the 10 biggest
20 loan customers sent to them in advance and all the records
21 involved with those loans, and examine those. And they come
22 in the bank days at a time. And they are looking to see to
23 make sure that they are complying with all banking principles
24 and accounting GAAP principles, is what they call them.

25 But the second group -- oh, and those auditors never

1 found fault with any of Alex Murdaugh's loans. And the
2 reason why, he had the income, he had the assets, and he had
3 the proven track record to support the loans. He borrowed
4 money each year, he paid it back, over time, over year after
5 year after year.

6 The second group was the FDIC. You will hear about
7 FDIC insured banks, FDIC, savings and loan insurance. Well,
8 they come in too periodically. And they do the same kind of
9 thing. They look at all the loans and all the individuals.
10 Alex Murdaugh was always on this list, the biggest borrowers,
11 as was his law firm, as was the hospital and some others.
12 But they looked at those loans and they never found a problem
13 with any of Alex Murdaugh's loans because, again, the track
14 record, the income, and the assets supported it. They looked
15 much more towards the federal regulations in compliance with
16 federal laws and federal statutes.

17 And, finally, the State Board of Banking Control,
18 they did the same thing as the other two groups that came in,
19 something similar to what they did, but they were looking
20 more to eye to state law, the state court and state rules and
21 regulations.

22 Now, Palmetto State Bank was a small bank, but it
23 wasn't country bumpkin podunk bank. You will learn through
24 the trial that they had a strong executive management in
25 there. And they had an outstanding track record. In fact,

1 for the past five years, each year, they've been selected as
2 the most efficient community bank, number one in rankings,
3 most efficient community bank in the state of South Carolina.

4 You look at these allegations. You heard about the
5 conservatorships. Nothing wrong with that. You learned
6 about loaning money. Nothing wrong with that. And even Ms.
7 Limehouse said, loaning himself money, it might have been not
8 a good thing to do, a mistake for sure. But you will learn
9 that the fact is that all these loans were fully disclosed at
10 the courthouse and discussed. In fact, the very first one
11 was discussed with the judge, Judge Sheila Odom. And you
12 will also see the statute allows such loans by a conservator
13 or a personal representative.

14 Now, there's an allegation that the 5 percent fee
15 might have been a little bit high. Anyone who served as
16 conservator, PR, personal representative in Hampton County,
17 you will hear a bunch of testimony about this, received a 5
18 percent fee. In fact, the law provides for a fee up until 5
19 percent. And lawyers and banker served as conservators.

20 The allegation is that he borrowed money, Russell
21 Laffitte borrowed money from the estates he managed. And,
22 yes, he did. And so did Alex Murdaugh. But here's where the
23 rest of the story to that is. Perhaps it wasn't a good idea,
24 but it wasn't illegal. And certainly was not a crime. And
25 in this case, every loan was in writing, evidenced by a

1 written note, an IOU, that was filed in the probate court.
2 But in addition to that, it was fully collateralized. The
3 bank's stock, Palmetto State Bank's stock of Russell Laffitte
4 was pledged as collateral in writing, again put in the
5 publicly filed probate file. And most important, Russell
6 Laffitte and Alex Murdaugh paid every loan back in full, on
7 time with interest. Now, Russell Laffitte, despite what you
8 heard in opening statement, he had no idea that Murdaugh was
9 paying his loans back with stolen money.

10 There's allegations that some loans were paid back
11 from loans from other banks or from Johnnie Parker or some
12 private individual. There's nothing wrong with paying off
13 one loan by borrowing from another bank. It's done every
14 day. You refinance your home mortgage. You might have a
15 home mortgage at Bank of America at 8 percent rate. The
16 rates go down, as it did a few years back and stayed low, you
17 immediately refinance. You go over to the Wells Fargo and
18 say, I owe \$100,000 on my home, I would like to refinance a
19 new mortgage. They give the money over. It gets paid to
20 Bank of America. But now, instead of owing Bank of America
21 \$100,000, you owe the same amount of \$100,000 to Wells Fargo.
22 There's nothing wrong with using one loan, taking out one
23 loan to pay off another loan. College debt, before the Loan
24 Forgiveness Program, students, graduated students did it all
25 the time. They had borrowed it at 5 percent. Got a chance

1 to get a loan later at 3 percent, they paid off the 5 percent
2 loan. So there's nothing wrong with that.

3 In closing, I want you to remember throughout this
4 case that Russell Laffitte always acted in good faith. And
5 the most important is, he never received a single red cent of
6 Murdaugh's stolen money. So then you ask yourself, if
7 Russell Laffitte were knowingly and intentionally helping
8 Alex Murdaugh steal, why wouldn't he just have some of these
9 transactions handled by some unsuspecting, unwitting teller,
10 have her or him do the transaction? Why would he sign his
11 name over and over and over, and disclose it, and file it in
12 probate court year after year after year for the probate
13 judge, for her staff, for her deputy, and for the public, and
14 anybody that walked in the courthouse in probate court for
15 all to see.

16 So in closing, you ask yourself, and ask yourself
17 through this trial, why would Russell Laffitte risk
18 everything to intentionally help Alex Murdaugh steal? Why
19 would he risk his job? Why would he risk the family bank?
20 Why would he risk his career, his reputation? Why in the
21 world would he risk his good family that he loves so dearly?
22 Why would he risk his freedom to help someone else steal
23 money? The answer is clear. He would not and he did not.
24 Thank you.

25 THE COURT: Ms. Limehouse, does the Government have

1 exhibits it wishes to admit by stipulation?

2 MS. LIMEHOUSE: We do, Your Honor. I will note our
3 first witness is very lengthy. And that Rozsa needs to make
4 sure she's set up good with Ms. Perry. Can we take a couple
5 of minutes just to make sure the input is working?

6 THE COURT: Yeah. Let's do this. Let's take a
7 break. Go to the jury room. We will be back in about 10
8 minutes. Thank you.

9 (Jury leaves open court at 2:37 p.m.)

10 (Whereupon, the jury returns to open court at 2:48
11 p.m.)

12 THE COURT: Everyone be seated. Ladies and
13 gentlemen of the jury, let me tell you what ends up happening
14 with seating and so forth. You will get it organized where
15 you will come in the order, everybody gets really organized,
16 and it happens, but it takes a day or two to figure that out.

17 Mr. Holliday, does the Government have exhibits it
18 wishes to admit?

19 MR. HOLLIDAY: Your Honor, we do. We've conferred
20 with the defense. Government's Exhibit 1 through 7, 10
21 through 44, 48, 50 through 154, 160 to 172, 176 to 190, and
22 211 to 222 should all be admitted without objection.

23 THE COURT: Mr. Daniel, any objection?

24 MR. DANIEL: No objection, Your Honor.

25 THE COURT: Very good.

1 Government's Exhibit 1 through 7, 10 through 44, 48,
2 50 through 154, 160 through 172, 176 to 190, 211 to 222 are
3 admitted without objection.

4 Government's Exhibit 1 through 7, 10 through 44, 48,
5 50 through 154, 160 through 172, 176 through 190, 211 through
6 222, are received in evidence.)

7 Mr. Daniel, do you have exhibits you wish to offer
8 at this time?

9 MR. DANIEL: I'm sorry, Your Honor?

10 THE COURT: Do you have exhibits you wish to offer
11 at this time?

12 MR. DANIEL: I think that's Mr. Austin's role.

13 MR. AUSTIN: Yes, Your Honor. Government agrees to
14 stipulate to Defense Exhibits 1 through 4, 6 through 14, 17
15 through 38, 41 through 45, 48, 50, 53 through 55.

16 THE COURT: 53 through 55?

17 MR. AUSTIN: Yes, sir. 57, 59, 64 through 65, and
18 67 through 75.

19 THE COURT: Any objection from the Government?

20 MR. HOLLIDAY: No, Your Honor. That all sounds
21 good.

22 THE COURT: Very good. Defendant's Exhibits 1
23 through 4, 6 through 14, 17 through 38, 41 through 45, 48,
24 50, 53 through 55, 57, 59, 64 through 65, 67 to 75, are
25 admitted without objection.

1 MR. AUSTIN: We have one more, 77, Your Honor.

2 THE COURT: 77 admitted without objection.

3 (Defendant's Exhs. 1 through 4, 6
4 through 14, 17 through 38, 41 through 45, 48, 50, 53 through
5 55, 57, 59, 64 through 65, 67 to 75, are received in
6 evidence.)

7 MR. HOLLIDAY: Yes, Your Honor.

8 THE COURT: Very good. Government, call your first
9 witness.

10 MR. HOLLIDAY: Your Honor, thank you. The
11 Government calls Norris Laffitte.

12 THE COURT DEPUTY: Please state your name your full
13 name for the record.

14 THE WITNESS: Norris Lightsey Laffitte.

15 NORRIS LIGHTSEY LAFFITTE,
16 having been duly sworn, testifies as follows:

17 THE COURT: Mr. Laffitte, feel free to take off your
18 mask while you are testifying if you feel comfortable doing
19 that.

20 DIRECT EXAMINATION

21 BY MR. HOLLIDAY:

22 Q. So your name is Norris Laffitte; is that right?

23 A. That's correct.

24 Q. And you have the same last name as the defendant?

25 A. That is correct.

1 Q. So how are you two related?

2 A. His father is my first cousin. So he's my first
3 cousin once removed.

4 Q. Okay. Now, you are currently a member of the
5 Palmetto State Bank Board; is that right?

6 A. Yes.

7 Q. Before joining the Board, what kind of work did you
8 do?

9 A. My mother's family was in the railroad and timber
10 business, and I worked with them.

11 Q. And as far as the timber and railroad businesses,
12 was that all down in Hampton County?

13 A. Hampton, Colleton, and Beaufort County, yes, sir.

14 Q. And as far as your work history in either one, you
15 don't have to go blow-by-blow, but briefly tell us kind of
16 where you started and how high you went up.

17 A. First title was grandson, because I was working for
18 my granddaddy. He inherited the business from his family,
19 from his father. So I was learning. I was a business major
20 in college, had to learn what property was, property lines.
21 I was in the forestry side of it for a year. And then he
22 asked me to come over and learn about the railroad. And so I
23 figured out what a short line railroad was and how to
24 operator it.

25 Q. Okay. And how high up did you go in the timber and

1 railroad businesses?

2 A. Well, I'm still a family member in the timber
3 business. And the railroad, I was president of the railroad.

4 Q. Okay. And do you still hold positions in either
5 one?

6 A. I'm a -- the railroad has been shut down. So that's
7 completely gone. With the Lightsey family, I am their
8 bookkeeper.

9 Q. Now, at some point you joined the leadership of the
10 bank, as I've already mentioned. When did that happen?

11 A. I got a phone call June of '18. And my first
12 meeting was July of '18.

13 Q. Okay. And what position was it that you took on the
14 Board of directors? Were you a member --

15 A. I was a member of the Board of directors, yes.

16 Q. And who held that position before you took it?

17 A. My father.

18 Q. And what was his name?

19 A. Moses Tucker Laffitte Jr.

20 Q. Now, obviously, this case has a lot to do with
21 banking, but that's not your background. Your background is
22 in, as you mentioned, railroads and timber or whatever?

23 A. Yes.

24 Q. How is it that you brought yourself up to speed so
25 that you are a productive member or a contributing member of

1 the Board's bank?

2 A. Well, when I was working with the Lightsey family, I
3 think there were 11 checkbooks I was in charge with different
4 entities in the Lightsey family and my family. And figured
5 out what profit and loss was and balance sheets. When
6 Charlie asked me to come over, our family had been banking
7 with Palmetto State Bank with those accounts. And it's
8 on-the-job training. I picked up all I could from everything
9 I could that they gave me to read.

10 Q. As you mentioned a minute ago, you still keep the
11 books for some of the Lightsey family businesses?

12 A. That's correct.

13 Q. Now, prior to the middle of 2021, did you know who
14 Alex Murdaugh was?

15 A. I know who -- yes.

16 Q. Was that in part because you lived in the area,
17 worked in the area, or whatever?

18 A. That is correct.

19 Q. Okay. And in June of 2021, what happened? What
20 significant event happened in the life of Alex Murdaugh?

21 A. His wife and son were killed.

22 Q. Okay. And when you heard about the murders, did you
23 know whether Alex Murdaugh had a connection with the Palmetto
24 State Bank?

25 A. Alex did have a connection with Palmetto State Bank,

1 yes.

2 Q. What was the extent of your knowledge? For
3 instance, did you know about loans that he had, accounts that
4 he had open, status of those accounts, basically what the
5 bank's exposure was due to their customer relationship with
6 Alex Murdaugh?

7 A. As a Board member we get packets of information what
8 we are getting ready to talk about at the next meeting. And
9 in June of '20, the loans over \$25,000 were discussed. And
10 Alex Murdaugh's name was on that sheet of paper.

11 Q. And is that basically how you became aware that he
12 was even a customer of the bank?

13 A. I believe that's the first time I knew that he was
14 he was a customer of the bank.

15 Q. Now, where were you the weekend of July 4th, 2021?

16 A. I was at DeBordieu Colony Beach, above Georgetown,
17 South Carolina.

18 Q. And while you were at -- I guess you were
19 vacationing that week?

20 A. My father had a villa up there. And he's passed it
21 down to the kids. So, yes, my wife is from Georgetown. We
22 go to -- excuse me. I have grandkids in Murrells Inlet with
23 my daughter and son-in-law. So we go to the beach a good
24 bit.

25 Q. So when you are with family in DeBordieu, did you

1 have a conversation regarding Alex Murdaugh?

2 A. Yes, I did.

3 Q. And who was that conversation with?

4 A. Gentleman named Les Carter.

5 Q. How do you know Mr. Carter?

6 A. Les and I grew up in Columbia High School, went
7 to -- roomed together in college. Our children went to the
8 same colleges. We've been family friends through our mothers
9 for my whole life.

10 Q. And did Alex Murdaugh come up in the context of that
11 conversation?

12 A. Yes, he did.

13 Q. And as a result of you talking to Mr. Carter, did
14 you have concerns regarding the bank?

15 A. Les made the comment -- and we had talked about a
16 lot of things, our wives, our children, what was going on
17 with them, but in that conversation, Les mentioned the fact
18 that Alex was not working any longer.

19 Q. So if Alex is not working any longer, it's a
20 somewhat obvious question, how would that impact the bank?

21 A. What was our exposure? If he's not working, how is
22 he going to pay back money he owed us, if he owes money at
23 all?

24 Q. And was there a specific financial instrument that
25 he was the beneficiary of at the bank that you are aware of

1 during that July 4th, 2021, conversation?

2 A. Like I say, when Les -- we really didn't talk
3 about it. Once he mentioned Alex wasn't working anymore, a
4 red flag went up in the back of my mind. I didn't want him
5 to know I was on the Board, but we changed the subject. But
6 I kept that flag there because I knew just a year earlier,
7 Alex had a line of credit with the bank, a million dollar
8 line of credit with the bank. Was that line of credit
9 exposed or not?

10 Q. So now you are going into the next Board meeting in
11 July 2021.

12 A. Yes, sir.

13 Q. Having, just a few weeks before, had this
14 conversation on the beach at DeBordieu?

15 A. Yes.

16 Q. Do you raise any of your concerns at that Board
17 meeting in July of 2021?

18 A. Yes. At that Board meeting, at the proper time --
19 we sit around the Board room table like people do in church,
20 nobody moves. And I sit on one end of the table on edge. On
21 the far end it was Russell, his daddy at the head, his sister
22 and his brother, that would be Russell, Charlie Laffitte,
23 Jr., his sister, Gray Henderson, and Charles Laffitte, III.
24 And at the proper time I just raised a question, stuck my
25 head forward and said, do you all know what's going on with

1 Alex? So I did raise a question, what's happening with Alex?

2 Q. And did anybody answer your question?

3 A. I believe Russell spoke first and said he's still
4 working. And Gray also said he's still working, he's having
5 trouble, he's struggling through the grief of the murders of
6 his wife, Maggie, and his son Paul, but he's still working.

7 Q. So the conversation from the beach made you question
8 whether or not he was working. And, yet, you go to the Board
9 meeting and you are getting confirmation from your fellow
10 Board members that he is, in fact, still working; is that
11 right?

12 A. That was the conversation, yes, sir.

13 Q. Let me ask you before we move on. I've asked you
14 previously to review the minutes from that meeting from July
15 the 20th of 2021; is that right?

16 A. Yes, sir.

17 MR. HOLLIDAY: Your Honor, can I briefly approach?

18 THE COURT: You may.

19 BY MR. HOLLIDAY:

20 Q. And I've asked you to look over the minutes of that
21 Board meeting. There's not a mention of the Alex Murdaugh
22 discussion in the Board minutes from July the 20th of 2021,
23 is there?

24 A. No, sir, there's not a mention of that discussion.

25 Q. Okay. Who keeps the minutes for your Board

1 meetings?

2 A. Gray Henderson.

3 Q. Who is Gray Henderson?

4 A. That is Russell's sister.

5 Q. While you are at that July 20th, 2021, Board
6 meeting, did you all discuss any recent loan requests that
7 were made -- that had been made by Alex Murdaugh after the
8 murders?

9 A. Restate that, please.

10 Q. Okay. When you are at the July 20th Board meeting,
11 did anyone bring up whether or not Alex Murdaugh had made a
12 loan request following the June 7th, 2021, murders of his
13 wife and son?

14 A. No, sir, that was not brought up.

15 Q. Did you later learn, in fact, that some activity
16 had, in fact, taken place regarding Alex Murdaugh and the
17 bank's finances?

18 A. Later I learned that, yes.

19 Q. If you look at the screen in front of you, we are
20 going to pull up Government's Exhibit 10A and 10B.

21 MR. HOLLIDAY: Your Honor, for your information, 10
22 has been admitted. And we've just segregated certain pages
23 out. It's a lengthy exhibit.

24 THE COURT: Okay.

25 BY MR. HOLLIDAY:

1 Q. If you look at 10A first. It's side-by-side. It's
2 absolutely fine. Thanks.

3 A. I have one picture in front of me. I don't have a
4 side-by-side.

5 Q. We can work with that. If we could, we are going to
6 start with 10A. If we look at the very top of 10A --

7 A. Yes, sir.

8 Q. And my screen is a little fuzzy. I hope the jury
9 can make out of some of this. But if we look in the upper
10 left-hand corner --

11 A JUROR: We don't have a picture.

12 THE COURT: Thank you, all. Got it now? Thank you.
13 That's what you are supposed to do, folks. Thank you.

14 MR. HOLLIDAY: Let's hope they don't have to do it
15 again.

16 BY MR. HOLLIDAY:

17 Q. All right. I just want to make sure everybody was
18 good. Looking at 10A, at the very top, we've blown up that
19 exhibit. I know it's a little fuzzy, but in the top
20 left-hand corner, there's a loan number there. It appears
21 ending 048. Do you see that?

22 A. I see, yes, sir.

23 Q. Okay. And if we go below that, there's a note
24 amount that's \$750,750?

25 A. Yes, sir.

1 Q. Accounting for processing fees and so forth? Yes?

2 A. Yes, sir, I see the note amount of \$750,750.

3 Q. Okay. And the loan name, you see Richard Alexander
4 Murdaugh's name there, correct?

5 A. That is correct, yes, sir.

6 Q. And the note date is what?

7 A. 07/15/21.

8 Q. So July 15th of 2021?

9 A. Yes, sir.

10 Q. That would be five days before your July 20th, 2021,
11 Board meeting; isn't that correct?

12 A. That is correct.

13 Q. This loan, paperwork, was not brought up during that
14 Board meeting?

15 A. Not at all, no, sir.

16 Q. And then maturity date, this kind of interesting,
17 what is that?

18 A. It looks like 01/15/22.

19 Q. July 15th of 2022?

20 A. Mine looks like January 15th of --

21 Q. I'm sorry. You are absolutely right, January 15th,
22 2022. So, basically, six months later, this \$750,000 loan is
23 coming --

24 A. Due, yes, sir.

25 Q. And then just while we've got this up on the screen,

1 it just confirms the lender is Palmetto State Bank and the
2 borrower is Richard Alexander Murdaugh. You see that as
3 well?

4 A. Yes, sir, I do.

5 Q. Now if we could go to 10B, please. When we were
6 looking at 10A, I had you read off the loan number. It's a
7 little clear on this one. You see it's written in the upper
8 right-hand corner?

9 A. 6048, yes, sir.

10 Q. And then the borrower's name and address, is that
11 consistent with what we just looked at?

12 A. That is consistent, yes, sir.

13 Q. And, in fact, this is all from Government's Exhibit
14 10, which I believe you've had the chance to review. But
15 that's the entire loan package for the \$750,000 loan; is that
16 right?

17 A. Yes, sir.

18 Q. And, in fact, if you would just confirm for the
19 jury's benefit, this would be something that they will looked
20 at eventual, we've just reviewed the first two pages. 10A
21 would be the first page and 10B would be the second page?

22 A. That is what it is, yes, sir.

23 Q. Okay. Now, 10B has a little bit more information.
24 And that's why we are looking at it. Obviously, the Richard
25 Alexander Murdaugh name is consistent, but if you read in

1 line 1, what do you see there? Just read the whole line
2 typewritten and handwritten notes.

3 A. Of what you have written in front of me on the
4 screen?

5 Q. Yes, starting with the very first -- well, it said:
6 I, Richard Alexander Murdaugh, as or on behalf of borrowers,
7 state as follows. And I asked you to read number 1.

8 A. The proceeds of this loan or other extension of
9 credit evidenced by loan dated 7/15/21, identify document,
10 will be used in the following type of business; business
11 expenses.

12 Q. So it says business expenses on 10B from Exhibit 10.
13 We will hold that point. Okay.

14 A. Just -- you said earlier page 1 and page 2. This is
15 not my page 2 I'm looking at. Am I supposed to -- that's
16 somewhere else in this package.

17 Q. Yeah, go eight pages back, you will see it.

18 A. Yes, I see this on PSB016891.

19 Q. 819?

20 A. Excuse me, 819.

21 Q. I've misspoken. It is within the same packet?

22 A. It is within the packet, yes.

23 Q. Very good. We are now going to show you from the
24 same loan package, and you don't have to find it in 10, I was
25 just showing you the entire loan package, it's Government's

1 Exhibit 10I. And if you could, let's pull up the very top
2 part. All right. Tell us what this is, please.

3 A. This is a form Palmetto State Bank uses in a
4 domestic wire request.

5 Q. Okay. And the jury has just had the benefit of
6 seeing other pages from this Exhibit 10, which is the loan
7 package for the \$750,000. But what's the date in the upper
8 right-hand corner?

9 A. 07/15/2021.

10 Q. Okay. And so that's consistent with what we are
11 seeing on 10A and 10B; is that right?

12 A. That is correct, yes.

13 Q. And, again, the bank is identified there, Palmetto
14 State Bank?

15 A. Yes, sir.

16 Q. And that's the address where the bank is located, is
17 that correct?

18 A. That is its address, yes, sir.

19 Q. While we have this blown up, we have sender
20 information and receiving information as well, correct?

21 A. I can't see it on this screen.

22 Q. Well, don't you have receiving bank information
23 right at the bottom?

24 A. Excuse me, receiving bank information, bank's name,
25 SouthState Bank.

1 Q. And we are going to scroll down in a minute. While
2 this is up, we are going to hit that. And that's SouthState
3 Bank is in Bamberg, South Carolina, correct?

4 A. That's what is stated here, yes, sir.

5 Q. So this is a little bit more information. What's
6 the beneficiary information here?

7 A. Name of the beneficiary is Wilson Law Group, LLC,
8 IOLTA account.

9 Q. Do you know what an IOLTA account is?

10 A. Interest on lawyer something.

11 Q. It's an account a lawyer might have to manage?

12 A. Yes.

13 Q. Fair enough?

14 A. Fair enough for me.

15 Q. And the Wilson Law Group, do you know who that is?

16 A. I did not at the time.

17 Q. You are a Board member of the bank privy to its
18 business. So do you know who the Wilson Law Group is?

19 A. I do now.

20 Q. Who is it?

21 A. The only one I know is a gentleman named Chris
22 Wilson. Only know him by name.

23 Q. And if we could, let's go to the very bottom. And
24 then as far as -- there's authorizations down at the bottom,
25 right?

1 A. Yes, sir.

2 Q. And before we get there, though, what was the amount
3 of money that's being wired?

4 A. \$350,000.

5 Q. So that's \$350,000 being wired from Palmetto State
6 Bank into the Wilson Law Group's account with SouthState
7 Bank; is this correct?

8 A. Yes, sir.

9 Q. And as far as the request received via, what does it
10 say there?

11 A. Russell Laffitte.

12 Q. Okay. And then there would have been a couple of
13 employees that actually executed the wire for Mr. Laffitte;
14 is that correct?

15 A. That is correct.

16 Q. Now, about this time, you are coming out of the
17 Board meeting, you've had Russell say that Alex Murdaugh is
18 still employed. You have information that he's not employed
19 from the beach conversation. Did you go talk to anybody else
20 about what's going on with Murdaugh?

21 A. I went back to the beach shortly thereafter, ran
22 into another of Alex's cousins on his father's side,
23 Stephanie Young Oxner, and she also told me that he was not
24 working.

25 Q. Okay. So now you've got -- you've still got

1 conflicts information. At some point, did you go talk to a
2 member of the Board?

3 A. I believe I went and chatted with Jan Malinowski,
4 who at that time was the president of Palmetto State Bank,
5 and voiced some concerns.

6 Q. So why did you go to Jan?

7 A. I live on Ladies Island. Jan lives on Ladies
8 Island. And the branch he works out of is on Ladies Island.

9 Q. And between the two of you, were you able to resolve
10 the conflicting information that you had about Alex
11 Murdaugh's work status and how that might affect the bank and
12 his obligations to the bank?

13 A. Jan and I had conversations, what's our exposure, if
14 he's not working, what are we going to do, so what is the
15 bank going to do?

16 Q. And after you talked to Jan, did you follow up with
17 an e-mail?

18 A. I did.

19 Q. Showing you what's been marked as Government's
20 Exhibit 2.

21 All right. The "from" in the line is -- that's you,
22 right?

23 A. Yes, sir.

24 Q. And the jury is going to be seeing your e-mail
25 address on a number of documents. You are HB Railroad?

1 A. That was the name of the Lightsey Railroad, yes,
2 sir.

3 Q. And what's the date of this e-mail?

4 A. Monday, August 9, 2021, 9:39 a.m.

5 Q. And then you are sending it. I'm going to break
6 this down. First of all, in the "to" line, who are you
7 sending it to?

8 A. Those five people: Russell Laffitte, who was the
9 CEO at the time; Gray Henderson, his sister, who works at the
10 bank in the mortgage department; Charles Laffitte, is their
11 father; Jan Malinowski is the president of the bank; and
12 Scott Swain is the CFO of the bank. And they are the
13 Executive Committee for the bank.

14 Q. This is something the jury is going to be hearing a
15 little bit more about. So I think it's important for them to
16 understand how the bank is run early on. There's an
17 Executive Committee and they report to whom?

18 A. The Board of Directors.

19 Q. So what -- how does the Executive Committee's work
20 support what the Board of Directors is doing?

21 A. State that again for me.

22 Q. What does the Executive Committee do for the Board?

23 A. In this instance, the Executive Committee is
24 responsible for looking at all the large loans. All large
25 loans over 25 is brought to the Board's attention. If the

1 loan officers -- they all have limits, some limits for
2 secured loan, some for unsecured. When we get to this level,
3 Russell, Gray, Charlie, Jan, have a lot of large limits. And
4 in this case, we are trying to figure out what's the
5 exposure. If it gets above a certain level, it takes two of
6 the Executive Committee members to review the loan. If it
7 gets bigger than another number, it takes three of them. And
8 it takes a Committee meeting for the loans to be approved.

9 Q. So we are going to talk about that a little bit as
10 well. There's five members on the Executive Committee,
11 right?

12 A. That is correct.

13 Q. How many of those numbers actually vote?

14 A. Scott Swain is not a voting member of that
15 committee. The other four vote.

16 Q. So if Scott Swain can't vote, why is he on the
17 Executive Committee?

18 A. The more risk management people we have on these
19 loans, the more eyes are looking at them, the better off we
20 are.

21 Q. So what do you know about Scott Swain's background?

22 A. Scott has been in the banking business apparently in
23 a public bank. I think he was down in Florida. He came to
24 work for the family bank, Palmetto State Bank, I think three
25 years ago as our CFO.

1 Q. You mentioned the other four members, right? Those
2 are all Laffittes or related to Laffittes?

3 A. Jan Malinowski married a Laffitte. The rest of them
4 are Laffittes, yes, sir.

5 Q. Those are the four voting members of the Board,
6 correct?

7 A. That is correct.

8 Q. When these loans get to be above a certain
9 threshold, you mentioned there's a requirement, an
10 expectation, that all five members of that Board will sit
11 down -- of the Executive Committee, will sit down and
12 consider loans; is that correct?

13 A. That is correct.

14 Q. And even if there's three members who decide amongst
15 themselves that they are going to approve a loan, is there an
16 expectation that at some point the entire Executive Committee
17 would consider the loan?

18 A. The entire committee should approve the loan, yes.
19 It should come before the committee. Whoever is presenting
20 the loan gives their case, gives a chance for all five
21 members of that committee to speak about that loan, and
22 either accept it and approve it or turn it down.

23 Q. Now, again, just kind of orienting the jury a little
24 bit to how the bank is run, there's a cc line on that e-mail
25 as well, right?

1 A. That is correct.

2 Q. Who are the people on the cc line?

3 A. When I sent this e-mail to the Executive Committee,
4 I also included all the Board members in it. Jim Gibson is
5 the first address. Jim is not a family member. Spann
6 Laffitte is another cousin. The next one is Liz Malinowski.
7 She is a Laffitte. The next one is -- sorry, they're all
8 cousins -- Dr. Lucius Laffitte, and then Russell's brother,
9 Charles III, and then Becky Laffitte is another cousin.

10 Q. So the Laffitte footprint at the Palmetto State Bank
11 is a significant footprint; is that correct?

12 A. Started by my grandfather Laffitte and his oldest
13 son Charlie, who is not the same Charles mentioned here.
14 It's Charlie's daddy.

15 Q. There's a Charles, Jr.; is that right?

16 A. Yes, sir.

17 Q. Referred to commonly as Charles?

18 A. Charlie, yes.

19 Q. How old is Charlie?

20 A. Charlie is in his early 80s.

21 Q. So if we just jump back a year or two, what was
22 Charlie's position at the bank?

23 A. Charlie was chairman of the Board and CEO for many
24 years.

25 Q. Okay. And then if we jump back a couple of years,

1 who was the CEO of this bank?

2 A. When you say --

3 Q. A few years ago, who was the CEO of Palmetto State
4 Bank? Charlie is the chairman?

5 A. Charlie is the chairman and Russell became the CEO.

6 Q. Father and son?

7 A. Father/son, yes, sir.

8 Q. The subject line of your e-mail is: PSB exposure
9 with Alex Murdaugh; is that right?

10 A. That is correct.

11 Q. And that's how he pronounces his name, right? It's
12 spelled Alex Murdaugh, but it's Alec (ph) Murdaugh?

13 A. Alex Murdaugh, yes, sir.

14 Q. So read your e-mail to the jury, please.

15 A. I wrote this to the Executive Committee, whose names
16 are on the "to" line. "Since the June events" -- and the
17 June events that I'm referring to here are the murder of
18 Maggie, Alex's wife, and Paul, Alex's son, so that's the
19 events I'm referring to. "Since the June events, would the
20 Committee prepared for the Board what is PSB's total exposure
21 with regard to Alex Murdaugh directly, indirectly, through
22 different family relationships, and/or LLCs with his
23 borrowing practices and repayment plans if he is not working.
24 Norris."

25 Q. So I think it's fairly obvious, but how would you

1 summarize the concern that you had when you were sending this
2 e-mail?

3 A. Well, I had heard from two of his first cousins.
4 And I've known them for as long as I've known Russell and the
5 rest of the family. But I had conflicting information. The
6 two family members say he's not working. And my fellow Board
7 members who live in Hampton saying he is. And I wasn't
8 comfortable with the conflicting information.

9 Q. And as far as this concern goes, I want to refocus
10 your attention on that loan that we've been talking about
11 that's in Exhibit 10. Right?

12 A. The \$750,000 loan.

13 Q. That's right. And the date on the \$750,000 loan is
14 when?

15 A. I thought we read the date was -- original note
16 date, July 15, 2021.

17 Q. And if that date is actually correct, would you have
18 expected to be receiving more information about that loan at
19 the next Board meeting or whatever?

20 A. Certainly, yes.

21 Q. I want to show you within the loan package you've
22 got there, we've got to split out again, Government's Exhibit
23 10E. We are pulling it up.

24 A. I ask for a page number.

25 Q. All right. And I think we want to -- so for the

1 jury's benefit, I put an e-mail -- or Tracy's put the e-mail
2 back up on the right side showing the August 9th date when
3 you are inquiring as to Alex Murdaugh's obligations to the
4 bank.

5 A. Yes, sir.

6 Q. And over on the left -- I don't think we need to
7 blow anything up. I think it's clear. What's the date on
8 this general ledger debit?

9 A. 8/9/21.

10 Q. How does that compare to the date of your e-mail?

11 A. That is the same date as my e-mail.

12 Q. As far as -- we won't bother for now with LNOS, but
13 right under that, what do you see?

14 A. Alex Murdaugh.

15 Q. Okay. And there's sort of routing information or
16 account information there as well?

17 A. Yes, sir.

18 Q. And the amount of that debit is how much?

19 A. \$400,000.

20 Q. Yeah. And when there's a general ledger debit at
21 the bank, that money is going into that person's account; is
22 that correct?

23 A. That is correct.

24 Q. And then as we go on down, it's almost -- there's a
25 number on the right, 287933. Below that there's some

1 additional information. Is the date confirmed again, August
2 the 9 of 2021?

3 A. That is the same, August 9, 2021.

4 Q. And then purchased by, what does that say?

5 A. Purchased by? I'm sorry. Loan proceeds.

6 Q. Loan proceeds. And then far out to the right, it
7 says what?

8 A. \$400,000.

9 Q. I actually do want to go back up. That LNOS, it
10 says purchased by loan proceeds. Do you know what the
11 acronym LNOS means?

12 A. Loans not on system.

13 Q. So what does that mean?

14 A. Banking term is my understanding where there's an
15 account where they can park funds until they get the
16 accounting exactly right.

17 Q. So let's just -- we are not going to pull the
18 document back up again. The jury heard this statement a
19 number of times. I've shown you Exhibit 10 for the \$750,000
20 loan. What's the date supposedly that that loan was put in
21 place?

22 A. The original note says July 15th, 2021.

23 Q. So this is some type -- three weeks or so after
24 that, August 9th, 2021?

25 A. That's correct.

1 Q. 10I and 10E. All right. So \$400,000, you see I
2 just circled that, right?

3 A. Yes, sir.

4 Q. This one is a little tougher.

5 A. I can read \$350,000.

6 Q. \$350,000. So there's a \$400,000 deposit into Alex
7 Murdaugh's account at the bank; is that correct?

8 A. Yes, sir.

9 Q. And then there's a \$350,000 wire going to Chris
10 Wilson's IOLTA account down in Bamberg; is that correct?

11 A. That's correct.

12 Q. What do those two numbers add up together?

13 A. \$750,000.

14 Q. And that's the amount -- well, does that coincide
15 with the amount of the loan package in Government's Exhibit
16 10?

17 A. The loan package is for \$750,750. That 750 is the
18 fee that the bank charged to put together the loan. So we
19 are \$750 different. But that is the bank's fee for putting
20 together that \$750,000 loan.

21 Q. So the principal is gone?

22 A. Yes, sir.

23 Q. It's been committed to Alex Murdaugh's bank account
24 and it's been sent to Chris Wilson; is that right as well?

25 A. Yes.

1 Q. This is before you get any answers regarding the
2 security of all the loans and what the bank's exposure is to
3 the Alex Murdaugh loans and Alex Murdaugh in general; is that
4 right?

5 A. I sent my e-mail -- I think it was 9:39. And I
6 didn't have an answer yet.

7 Q. I want to show you something, Government's Exhibit
8 192.

9 A. Still got red marks.

10 Q. Yeah, I'm working on it. Government's Exhibit 192,
11 fourth page. Perfect. So here's the thing. You send your
12 e-mail on August the 9th asking about Alex Murdaugh's
13 exposure or the bank's exposure to Alex Murdaugh; is that
14 right?

15 A. That is correct.

16 Q. There's an entry, the very first entry -- well,
17 let's just back it one day or three days, one entry. August
18 the 6th of 2021, what is Alex Murdaugh's balance as indicated
19 in the far right column?

20 A. I have three August 6th dates. Which one do you
21 want me to use?

22 Q. I'm sorry. The one right above August 9th.

23 A. One right above August 9th is \$347,784.67 in
24 overdraft in negative balance.

25 Q. Substantial negative balance, correct?

1 A. My goodness, yes.

2 Q. So that was just before the jury. Now let's go down
3 to August the 9th, the date of your e-mail. What's the
4 negative balance say?

5 A. After the deposit of \$400,000, he's now in the black
6 \$32,215.33.

7 Q. All right. You jumped me just a little bit. But
8 it's okay. The entry right above that, what is that?

9 A. That is -- he is in the negative \$367,784.67.

10 Q. Are there reports generated at the bank of people
11 who are upside-down on their accounts at the bank?

12 A. It's my understanding every day the officers get an
13 overdraft report.

14 Q. So on the day of your e-mail, on August the 9th of
15 2021, when you send your e-mail, \$367,000 in the hole; is
16 that right?

17 A. Alex is overdrawn \$367,784.67.

18 Q. And then according to the document that the jurors
19 just saw, that \$400,000 transfer from the loan took him into
20 black; is that right?

21 A. It took him to 32,000 positive, yes, sir.

22 THE COURT: Mr. Holliday, are you offering
23 Government's Exhibit 192 as an exhibit? It wasn't on your
24 all's stipulated list.

25 MR. HOLLIDAY: Your Honor, could I have just a

1 minute, please?

2 THE COURT: Take your moment.

3 MR. HOLLIDAY: I'm informed that when I read to 190,
4 I should have read to 198.

5 THE COURT: No, it's 192.

6 MR. HOLLIDAY: No, they are telling me I misspoke
7 and it should have been to 198.

8 THE COURT: So you are offering 176 to 198? So what
9 we don't have here is 191 to 198; is that correct?

10 MR. HOLLIDAY: Yes.

11 THE COURT: Is there an objection to the admission of
12 191 to 198 from the defense?

13 MR. AUSTIN: No, Your Honor.

14 THE COURT: 191 to 198 are admitted.

15 (Government's Exhs. 191 to 198 are received in
16 evidence.)

17 MR. HOLLIDAY: I appreciate the catch. That was my
18 mistake.

19 THE COURT: We just want to get it right.

20 MR. HOLLIDAY: I do too.

21 BY MR. HOLLIDAY:

22 Q. We are not going to pull back up the August 9th
23 e-mail, but, ultimately, in a Board meeting perhaps, you get
24 a download of Alex Murdaugh's financial situation, at least
25 in terms of loans that had been taken out at Palmetto State

1 Bank?

2 A. In response to my e-mail, for the next -- the bank
3 always meets on the third Tuesday of every month. So for
4 that next meeting coming up, I received some papers, as the
5 rest of the Board members, received paperwork regarding
6 Alex's financial position with the bank.

7 Q. Now we are going to look at Government's Exhibit 3.
8 And before we blow anything up, do you recognize Government's
9 Exhibit 3?

10 A. I do.

11 Q. And what is it?

12 A. This is included in the loan packet that the Board
13 members received. It comes through a secure server e-mail so
14 we can all have the information a few days before a meeting.
15 We won't go into it cold. And this was apparently page 46
16 showing Alex Murdaugh exposure.

17 Q. So we are not going to linger on this one because,
18 in fact, if you look down at the bottom, the total given
19 there \$2,783,000, was there a problem with that total?

20 A. When I received the loan packet a few pages before
21 this, there was an executive summary. There were minutes of
22 an executive meeting they had. And it had a different
23 figure. So when I got this piece of paper, 2/7, it was a big
24 difference between it and the Executive minutes And so I took
25 out my calculator and added it up. And that figure is off.

1 Q. Was there a discussion at the Board meeting about
2 the bad math?

3 A. When it came to the proper time this came up, I
4 brought up the fact to Charlie, Russell, Gray, this math was
5 incorrect. And I passed them down my adding sheet text. And
6 Liz Malinowski was sitting beside me. And she also agreed
7 with the number that I offered up.

8 Q. And were there words between Russell and his father
9 Charlie at that Board meeting?

10 A. Russell threw his daddy under the bus and said,
11 Daddy, you did this work, not me.

12 Q. All right. So was a second summary prepared for
13 your benefit at the Board meeting?

14 A. Later we received a corrected number after, yes,
15 sir, corrected the figure I had given them.

16 Q. So, like I said, we are not going to linger on this
17 one.

18 THE COURT: Is this exhibit in? What is the exhibit
19 number.

20 MR. HOLLIDAY: No. 3, Your Honor.

21 THE COURT: No. 3. Thank you.

22 BY MR. HOLLIDAY:

23 Q. Now we are on to Exhibit 5. Focusing, first of all,
24 the total down at the bottom, is this at least better than
25 the previous one?

1 A. Those figures added up, yes, sir.

2 Q. Thank you. We will look at the whole document
3 again. And roughly what's the difference between the two
4 totals? You have 2.8 million and now 3.5 million.

5 A. So we are \$750,000, \$760,000 different.

6 Q. So there are several loans listed on this page. And
7 I think at the very least, we can cut off the very bottom so
8 they can see a little better. Okay. Very good.

9 The first one, the loan 8806, little over \$800,000
10 loan; is that right?

11 A. You are using the last four numbers on that?

12 Q. I am. I think that's easier.

13 A. Yes, sir.

14 Q. So the collateral, what's the collateral? And tell
15 the jury, if you know, what the collateral is?

16 A. Collateral; 914 acres real estate, plus improvements
17 appraised at \$2,090,000.

18 Q. Did you know, in fact, what that property was?

19 A. Yes. That is the home site of his Moselle farm, as
20 it's been expressed, however they call it in the newspaper.

21 Q. Next loan, 9180, principal amount is 193,000 and
22 change; is that correct?

23 A. That is correct.

24 Q. This one is interesting. The collateral on that
25 loan is what?

1 A. Edisto beach house appraised at \$730,000.

2 Q. Briefly focusing down at the bottom in the 6048
3 loan, which is the one they were kind of going to end up on,
4 the \$750,000 loan?

5 A. Yes, sir. The very last one?

6 Q. Yes. So collateral one mentions a share of Green
7 Swamp Club, and I am not going to talk about that a whole
8 lot, but talk about the second line. And there was actually
9 additional information on Government's Exhibit 2, but -- or
10 Government's Exhibit 3. We are not going to bother pulling
11 that back up. But what is that language under the Green
12 Swamp language talking about?

13 A. "We will be getting a second mortgage on the house
14 when his wife's estate is opened. The lawyer has already
15 done the title work to prepare for this."

16 Q. Now, all this is being presented to you at the
17 August 17th Board meeting; is that right?

18 A. That is correct.

19 Q. And do you recall again when the -- roughly when the
20 Chris Wilson wire took place and also the movement of money
21 into Alex Murdaugh's account of \$400,000?

22 A. The Chris Wilson wire was in July 15th and the 4 --
23 that's 350 in July. And the \$400,000 in his checking
24 accounting happened August 9th.

25 Q. And why is it that this 6048 loan down at the very

1 bottom mentions the beach house? What's the significance of
2 the beach house in the context of that loan?

3 A. When the Board heard about the \$750,000 loan, it was
4 expressed that it was to be used for improvements at the
5 beach house.

6 Q. When, in fact, you know that at the very least, the
7 \$400,000 that had just gone into Alex Murdaugh's account had
8 gone from the red into the black?

9 A. That money couldn't be spent on this houses. It was
10 gone.

11 Q. The Chris Wilson wire?

12 A. Unless he's a builder, he's a lawyer, that money was
13 gone too.

14 Q. And then as far as just in pure banking terms, the
15 issue with the loan 9180 and the loan 6048, were both being
16 secured by the beach house?

17 A. Well, the 9180, when that loan appears to be made,
18 it appears to be well-collateralized loan. The last loan
19 6048 for \$750,000, if there is -- the house is in Maggie's
20 name, his wife, that house can't be put as collateral against
21 the \$750,000. So now that loan is unsecured except for that
22 Green Swamp Club, Inc. valued at 243,000, one share of it.

23 Q. So let's talk about this for just a second. There's
24 language in there about wife's estate and all of that. As a
25 Board member, you became aware of the circumstances regarding

1 Maggie's estate in relation to that house. What was the
2 issue there?

3 A. With Maggie's name on the deed, Palmetto State Bank
4 should not be loaning money on somebody else's house to Alex.
5 It would be no different than me going to the bank and
6 saying, I want to borrow \$750,000 for mortgage purposes I'm
7 going to put one of y'all's houses in as collateral. Just
8 doesn't work that way.

9 Q. And in this instance, unfortunately, Maggie was dead
10 at this point; is that right?

11 A. Maggie had passed away.

12 Q. And when somebody passes away, an estate has to be
13 open to deal with their assets and all of that?

14 A. That's correct, yes.

15 Q. That could be a lengthy process?

16 A. You would know better than me, but, yes, lengthy
17 process.

18 Q. And just to cut to the chase, this house was tied up
19 in the estate or the estate money hadn't been opened?

20 A. I have no idea when the estate was opened. But at
21 this time -- it says it right there, wife estate is not open.

22 Q. Yep. Just going on down a little bit more just so
23 we cover all the loans, 7336, almost a million dollars there.
24 You see the third line down?

25 A. Yes, sir, I do.

1 Q. And as far as the 866 acres, and then we see another
2 reference to that 914 acres?

3 A. Yes, sir.

4 Q. So the first loan on the page and the third loan
5 seem to have, again, been collateralized by the 914 acres?

6 A. Yes, sir.

7 Q. Do you know what the 0489 loan is all about for
8 little over 100,000?

9 A. Islands in Beaufort County appraised at \$277,000.
10 Alex apparently was in a partnership with some other people
11 and had bought some islands. I guess that's in Saint Helena
12 Sound or close to it.

13 Q. Then we've got a car loan, little over \$90,000 car
14 loan?

15 A. Yes, sir.

16 Q. Collateral is a 2021 Mercedes?

17 A. Yes, sir.

18 Q. In your capacity as a Board member, did you learn
19 anything about that Mercedes and any issues with the
20 Mercedes?

21 A. The loan had been -- \$91,386 had been extended to
22 Alex. Alex then put that money in his wife's account. And
23 she bought that car. And it ended up being titled in Maggie
24 Murdaugh's name. So the bank had no collateral on that loan
25 because the loan had been given to Alex. Alex gave the money

1 to his wife Maggie. And Maggie, when she bought the car,
2 didn't title it in Alex's name. She titled it in her own
3 name.

4 Q. So then finally, the 1524 loan, Randolph Murdaugh,
5 III and Alex Murdaugh, first of all, who is Randolph
6 Murdaugh, III?

7 A. That is Alex's dad.

8 Q. How much is that loan for?

9 A. \$599,400.

10 Q. Okay. And we've been talking about security a
11 little bit for the benefit of the jury. We were talking
12 about beach house as security, talking about the Moselle
13 house as security. But what does it mean when a loan is
14 unsecured?

15 A. Palmetto State Bank gave the money to those two men
16 and said, pay us back, please. There is nothing to go
17 against. If they default on that loan, hat in hand, Palmetto
18 State Bank will say, please give us the money we've loaned
19 you back.

20 Q. Again, this information is being provided to you at
21 the August 17th, 2021, Board meeting; is that right?

22 A. Yes.

23 Q. Fair to say Alex Murdaugh's life situation is
24 somewhat up in the air?

25 A. He isn't working.

1 Q. So you've got --

2 A. Dead wife, dead son, can't be in good mental state.

3 Q. You have one unsecured loan that he's taken out with
4 his father?

5 A. Yes, sir.

6 Q. You have two loans both secured by this same beach
7 house?

8 A. Yes.

9 Q. Two of the loans --

10 A. Well, one was secured by the beach house. The
11 second loan was not secured by the beach house.

12 Q. Fair enough. Thank you for the correction. And
13 then also we have the house in Moselle, at least in part,
14 also listed as security?

15 A. Yes, sir.

16 Q. So how did this make you feel as you are considering
17 the bank's situation in regard to Alex Murdaugh?

18 A. Well, if Alex owes the bank \$3,544,894, how is he
19 going to pay it back if he's not working? And this is not
20 the correct figure that we had seen in the Board packet. The
21 Executive minutes said the exposure was \$4.2 million. So
22 there's a problem here with the paperwork still, even though
23 we corrected the math on this page with the Executive
24 Committee minutes.

25 Q. All right. Give me a second to catch up. We are

1 going to go to on Government's Exhibit 6. I showed you the
2 minutes that are Government's Exhibit 1, but I don't think
3 we've shown the jury yet any examples of any minutes. If you
4 would just -- obviously the top says minutes. And then it
5 gives a list of attendees?

6 A. Yes, sir.

7 Q. Directors at the very top there?

8 A. Yes, sir.

9 Q. And Charlie Laffitte, that's the 80-year-old?

10 A. C.A. Laffitte, Jr. is the chairman of the Board,
11 Charlie we call him. Gray L. Laffitte is Gray Laffitte
12 Henderson, his daughter. Russell L. Laffitte is in the
13 courtroom with us. And Jim Gibson has been on the Board for
14 many years, a friend of Charlie's. Jan N. Malinowski married
15 Liz, who is written down in the next line beneath it all.
16 He's the president of the bank at the time. C.A. Laffitte,
17 III is Russell's older brother. And my name is there. And
18 then attendance by Zoom. H.S. Laffitte is Spann, the cousin.
19 H.L. Laffitte is Lucius, the doctor. And Liz is Liz Laffitte
20 Malinowski. And the last name Rebecca Laffitte. That is the
21 entire Board.

22 Q. And not to put too fine a point on that, but as the
23 jury is very well aware by now, the Laffittes are basically
24 running this bank?

25 A. Yes, sir.

1 Q. Now, at the very, very bottom, because we are just
2 setting up what's going on the next page, "Review the
3 Executive Committee minutes from August 12, 2021." Then
4 after that it says, "The loans outstanding on Richard
5 Alexander Murdaugh were discussed. A copy is attached."

6 We've been going over that copy already; is that
7 correct?

8 A. That's correct.

9 Q. Next page, please, second paragraph. So Chairman
10 Laffitte reviewed the loans to Richard Alexander Murdaugh.
11 And, again, so we are keeping all the roles right, we have
12 CEO, chairman of the Board, who is chairman?

13 A. Chairman is Charlie Laffitte, C.A. Laffitte Jr.

14 Q. And Russell Laffitte fills you in, stated that his
15 intention is to sell the farm?

16 A. Yes, sir.

17 Q. What did that mean?

18 A. We are in August. We now recognize what see down
19 there, the \$3 million is due. And he intends to sell the
20 Moselle property, which was the 900 acres and 816 acres.

21 Q. And then in the next line, is there at least some
22 notion that there are mortgages on properties that might,
23 when they supersede, they would take priority as far as those
24 being transferred into Maggie's name, at least somebody makes
25 that representation?

1 A. It's my understanding on the farm properties, that
2 900 acre and -- 916, 866 acres, the mortgages were in Alex's
3 name. And, therefore, the mortgage is still good with the
4 Palmetto State Bank even though he had transferred the
5 property into Maggie's, his wife's name, Alex is the one who
6 still owed the money on those loans.

7 Q. Okay. And then we are not going to belabor this
8 point, but that's talking about the mathematical error that
9 you found. The next point is: Norris Laffitte questioned
10 why we have charged-off -- we have charged-off loans, but
11 continue to loan him money. What is a charged-off loan?

12 A. In this instance -- I hate to keep referring back
13 to --

14 Q. Tell me just generally.

15 A. Generally, a charged-off loan is when instead of
16 foreclosing on the property, they've established an account
17 in the bank where we realize we are not getting any money at
18 the time, and that loan just sits over there.

19 Q. And why would a bank charge off a loan?

20 A. Charging off would be you don't think you ever going
21 to get paid on it.

22 Q. So, generally speaking, what would be the wisdom if
23 you had somebody who had a number of charged-off loans
24 continuing to loan them money?

25 A. That's why I asked the question. If you have

1 charged-off loans, let's make him pay off the first loans,
2 make them good, interest, principal, show that he can
3 continue paying, and just don't keep throwing money out the
4 door.

5 Q. And there's language after that that -- I guess they
6 were trying to assuage their good terms, but says: Chairman
7 Laffitte and Russell Laffitte explained that the charged-off
8 loans were charged off five years ago. And then it says
9 those are the ones with this other guy.

10 Would it give you further pause that a loan has been
11 charged off for five-years and the bank has done nothing as
12 far as the collateral, as far as foreclose or anything like
13 that?

14 A. I believe the question was, why hadn't we
15 foreclosed. Why hadn't we done something different? Yeah,
16 this is, what are we doing?

17 Q. Then they say: Payments aren't current, but Alex
18 had been making payments that were made.

19 So are you aware of what payments were made?

20 A. Apparently, by this statement and other information
21 since received, is Alex had been making payments on the two
22 charged-off loans when he did. I don't know.

23 Q. Do you know if he was actually paying into the
24 loan's principal or anything, or if he was just making
25 nominal interest payments?

1 A. I don't know that.

2 Q. Okay. So then Russell says he's going to update the
3 Board regarding the status of the loan. And then you have
4 Liz Malinowski comment about the \$750,000 loan that's now
5 kind of been brought up in front of the -- to attention of
6 the Board. What's her concern that she raises regarding the
7 Executive Committee?

8 A. Again, the loan officers have limits. Alex had
9 exceeded the limit of one loan officer or two combined. The
10 loan limit was now aggregate high enough that it had to go
11 before the entire Committee for the risk to be assessed.

12 Q. And Russell explains that three of the five members
13 of the Executive Committee had approved this loan. Did he
14 tell you what three had done it?

15 A. His father, Charlie Laffitte, his sister Gray, and
16 himself.

17 Q. Did that give you further concern as to why it
18 hadn't been brought up to the entire Executive Committee,
19 that it's just the father, son, daughter, approving a loan
20 for \$750,000 loan?

21 A. Certainly. It's supposed to go to the Executive
22 Committee.

23 Q. And at this point, did you know when the \$750,000
24 loan had even supposedly been made?

25 A. No. No.

1 Q. Was loan paperwork made available to you during the
2 meeting?

3 A. No.

4 Q. Did anyone ask to see it?

5 A. Excuse me. Yes. It was brought up by Jan
6 Malinowski and myself, one of the two of us, said, is there
7 any documentation on the \$750,000, yes.

8 Q. Okay. And did anyone go look for it for you?

9 A. Gray Henderson got up from her chair, walked around
10 the Board table. Her office is connected to the Board room.
11 She went and looked on her computer for some information
12 about the \$750,000.

13 Q. And was she able to find any paperwork on \$750,000?
14 And, again, this Board meeting is taking place on August the
15 17th; is that right?

16 A. That is correct.

17 Q. And she checks the system looking for the \$750,000
18 loan, what does she find?

19 A. She came back out of her room and said she doesn't
20 see anything on it.

21 Q. Did any Board members react to that information?

22 A. Well, at that time there were -- excuse me. Yes.
23 The majority of us could not believe it, yes.

24 Q. It's a substantial loan?

25 A. Where is the paperwork? What's going on here?

1 Q. Did that discussion continue or did somebody cut it
2 off?

3 A. Well, the Laffittes are pretty cordial people. But
4 this had us riled up pretty good. What in the world is
5 happening? And Charlie, at the end of the table, leaned
6 forward and said, we've given him this, and if he comes back
7 and wants more, we will give him some more.

8 Q. Again, Charlie is?

9 A. Charlie is Russell's daddy. And that pretty much
10 shut down the conversation for the rest of us.

11 Q. So by him indicating that whatever the rest of the
12 Board thinks, we are just going to keep lending this guy
13 money, is that following bank procedures?

14 A. Doesn't come close.

15 Q. Did you know the status of Murdaugh's accounts with
16 Palmetto State Bank at this point at that meeting?

17 A. We had the loan information and that's all I knew.

18 Q. We are going to go to Government's Exhibit 7 now,
19 7A. Y'all had requested at that August 17th Board meeting
20 that some more information be provided to you. So if you
21 look at this August 18th e-mail, second paragraph -- well,
22 first of all, who is it coming from?

23 A. The e-mail is from Russell Laffitte.

24 Q. And then the second paragraph, I will read it to
25 you. "Alex Murdaugh's loans that are completely charged

1 off" -- and those are the two we were talking about?

2 A. Yes, sir.

3 Q. "Did not have a payment made on them in 2020."

4 A. Yes, sir.

5 Q. "He typically would have made them in January of
6 2021." And the amounts of \$52,046 and \$55,684. "I will
7 contact him about trying to get those payments and will try
8 to collect them in January when they get their bonus."

9 Obviously, now we are talking a little bit about the
10 inner workings of the Peter Murdaugh Law Firm. Do you know
11 how the partners were paid at the Peters Murdaugh Law Firm?
12 When do they get their bonuses?

13 A. According to Russell -- sorry, information I have,
14 apparently, they get their bonuses in January, end of the
15 year. I think I've -- he's bounced from December to January
16 to February.

17 Q. So if it's December/January time frame, if no
18 payments were made in all of 2020, and you are asking this
19 question in mid-2021, it's at least a year and a half --

20 A. Those numbers are doubled.

21 Q. -- that he's charged off loans; is that correct?

22 A. That's correct.

23 Q. I want to move forward a little bit in this e-mail
24 chain. Going to 7D. Now, this is you, right, from Norris
25 Laffitte, HB Railroad?

1 A. Yes.

2 Q. And you are sending this directly to Russell. But
3 then you are copying the Board, the Executive Committee. Who
4 are you copying?

5 A. That is both. That is the entire Board and the --
6 which is -- excuse me, it does not include Scott Swain. So
7 that would be the Board members.

8 Q. So if you would, this is coming from you, read to
9 us, please -- this is directed to Russell and to Gray. Why
10 did you include Gray on this one?

11 A. They both work in the Hampton office, brother and
12 sister.

13 Q. I didn't mean to cut you off. Go ahead.

14 A. He had said that Gray and Russell were two of the
15 three that approved it on their own outside of the Committee
16 meeting.

17 Q. Okay. So read for me that first bullet point,
18 please.

19 A. "In reviewing the PSB Onboard August 2021 Board
20 meeting --" and that is the -- when I say "Onboard," that is
21 the e-mail server that sends us the packet of information.

22 Q. Is Alex here previewed to the Board meeting so you
23 can prepare your own board, so you can access and look at it
24 so you go to the Board meeting prepared for the meeting?

25 A. When I first started in the bank, we would get the

1 information when we walked in that Tuesday for that meeting.
2 And it wasn't fair to anybody. So I requested early on that
3 we find a way to get the information earlier. And this
4 information, Onboard packet, usually comes Friday, Saturday,
5 Sunday, Monday before our meeting on Tuesday.

6 So in reviewing the PSB Onboard August 2021 Board
7 meeting, the Executive Committee minutes, which would be a
8 section of that, I see that "Alex Murdaugh-corrected,"
9 reflecting the actual total. So I had gone back in the
10 machine after the August meeting, pulled it back up. And
11 that's saying, thank you, Charlie, Gray, or Russell, whoever
12 corrected the 2.7 million, the 3.5 million. So I was saying
13 thank you for that.

14 But I now notice the \$750,000 loan, Loan No. 6996084
15 has only the Green Swamp share as collateral, which does not
16 cover the loan. Especially if the share has been pledged
17 elsewhere. Has it -- referring to the Green Swamp share --
18 has it been pledged elsewhere? What happened with the
19 collateral of the second mortgage on the Edisto house that
20 was shown against this loan to the Board at the August
21 meeting? Is this loan secure or is it now like the unsecured
22 \$599,400 Loan No. 6991524 on the same page?

23 Q. So I don't know that we need to pull up that exhibit
24 again, Exhibit 5, which showed all the different loans that
25 we were talking about. But at the very bottom there was the

1 \$750,000 loan that the jury saw.

2 A. Right.

3 Q. And then you also make reference to the one right
4 above it, \$599,400. And you are further pushing the
5 collateral question, because now you know the beach house is
6 complicated by Maggie's estate?

7 A. That's correct.

8 Q. How about the Green Swamp? Did you have concerns
9 about the Green Swamp stock?

10 A. Somewhere in my three and a half, four years on the
11 Board, I had seen Green Swamp share somewhere else against
12 Alex's loans. So if it had been against 0 United loan, was
13 it still against that loan or not? It had been talked about
14 on the Red Beard loan, which, was still on that loan as a
15 collateral or share? I think I was mentioning somewhere
16 else. And now here it is written on this \$750,000 loan as
17 collateral. So my fear was where was that collateral? How
18 was it going to be used?

19 Q. You get a response from Russell on September the
20 2nd. I'm going to show you Government's Exhibit 70. All
21 right. This is the response that I was talking about.

22 Question -- this is from Russell to you, right?

23 A. That's correct.

24 Q. Question one, we took the second mortgage off since
25 it is not in place yet.

1 That would be the beach house?

2 A. That would be the beach house, yes, sir.

3 Q. We cannot get the second mortgage until the estate
4 on Maggie -- Margaret Murdaugh is open. We've been
5 discussing that at length?

6 A. Yes, sir.

7 Q. They are working on that now. The attorney is ready
8 to close as soon as it does. The stock has not been pledged
9 elsewhere.

10 When he says "the stock," is he referring to that
11 Green Swamp stock?

12 A. Yes, sir.

13 Q. Did you later learn whether or not that was true?
14 Was the Green Swamp share pledged elsewhere?

15 A. As far as I knew, it had been pledged at least two
16 places.

17 Q. And then there is a lot of back-and-forth. Now we
18 are into early September talking about all the security on
19 this loan. But just to bring this section of our discussion
20 to a close, if we can put 7D and 10I side-by-side.

21 I don't think I want 7D.

22 So it's early September. And you are having this
23 back-and-forth with the Board and this back-and-forth with
24 Russell about how this money might be secured. But as the
25 jury has already heard, going back to the middle of July and

1 into early August, whether it's collateralized or not, that
2 money is already gone; is that right?

3 A. That money is gone, yes, sir.

4 Q. All right. What happened with Alex Murdaugh Labor
5 Day weekend 2021?

6 A. Alex was -- met with his partners at the Peters
7 Murdaugh Parker Eltzroth & Detrick law firm, if we could say
8 law firm and cut all that out, and his partners apparently
9 had found some things they weren't happy with. And he lost
10 his job with the Murdaugh firm.

11 Q. And was that exactly your concern all along going
12 back to July 4th --

13 A. At DeBordieu I was told he wasn't working at this
14 time. And now my radar looked ballistic that now he didn't
15 have a job.

16 Q. Were you -- how was it -- well, what else happened
17 with Alex Murdaugh that weekend?

18 A. There's apparently an incident on the road with a
19 gun going off near somebody's head.

20 Q. "Somebody" would be Alex Murdaugh?

21 A. Alex Murdaugh, yes, sir.

22 Q. And so now you have confirmed that he's not working?

23 A. He's not working.

24 Q. And June the 7th of 2021, you have his wife and his
25 son killed at the house in Moselle?

1 A. Correct.

2 Q. And now we've got an incident on the side of the
3 road involving a gun and his Mercedes?

4 A. Yes, sir.

5 Q. And him?

6 A. Yes, sir.

7 Q. How are you feeling about that \$3.5 million right
8 now?

9 A. It is not a good feeling. How is Palmetto State
10 Bank going to recover this money?

11 Q. Okay. Showing you Government's Exhibit 11A,
12 focusing down at the bottom there. Well, actually, stay
13 right there. Up top, you see, "from Russell Laffitte?"

14 A. Yes, sir.

15 Q. And it's copied, again, those are the names the
16 jurors are used to seeing now on just about everything.

17 A. That is our Board of Directors, yes, sir.

18 Q. And it's Monday, September the 6th?

19 A. Yes, sir.

20 Q. And, everyone, I wanted all of you to see this, I
21 hopefully will have more information from you at the next
22 Board meeting. That is from Russell; is that right?

23 A. That is from Russell.

24 Q. And Russell is basically Alex's contact at the bank;
25 is that right?

1 A. Yes, sir.

2 Q. So he's the one keeping you informed about what's
3 going on in Alex's life?

4 A. Correct.

5 Q. And also his loan, he knows his loan status, he
6 knows his account status, and all these things as well?

7 A. Yes.

8 Q. If you want to know about Alex Murdaugh and his
9 activity at Palmetto State Bank, who are you asking questions
10 to?

11 A. Asking them to Russell.

12 Q. So I'm just going to read the WIS news release:
13 Alex Murdaugh says he resigned from his law firm and in a
14 rehab in his first statement released since he was shot along
15 a rural road in Hampton County. Murdaugh released the
16 following statement through his attorney, Dick Harpootlian.
17 "The murders of my wife and son have caused an incredibly
18 difficult time in my life. I've made a lot of decisions that
19 I truly regret. I'm resigning from my law firm and entering
20 rehab after a long battle that has been exacerbated by these
21 murders. I'm immensely sorry to everyone I hurt including my
22 family, friends, and colleagues. I ask for prayers as I
23 rehabilitate myself from my relationships."

24 Q. Is this how you found out that Alex Murdaugh was
25 done with the law firm?

1 A. Bad news travels fast. Hampton County is small.
2 And I think I knew about it Friday.

3 Q. Okay.

4 A. Before this.

5 Q. Who is Becky Laffitte?

6 A. Becky is my first cousin on the Board.

7 Q. And when did she join the Board, roughly?

8 A. I believe she joined the Board in June of '20.

9 Q. And --

10 A. Or, excuse me, or was it June of '21? Excuse me.
11 She had just joined. I don't know. One of those two days.
12 I'm sorry. She had not been on the Board long when all of
13 this was happening.

14 Q. So we are going to look at Becky's response first.
15 It's Government's Exhibit B. All right. It's kind of
16 chopped up, because the way we have it, it goes over two
17 pages. But Becky writes, good evening, Russell. And then
18 there's a little condolences at the top. But then: As a
19 member of a law firm, I'm intrigued by his decision to resign
20 based solely on the need for counseling. In his statement
21 there is -- we can go to the next part -- an admission that
22 mistakes had been made for which he apologizes. But as of
23 now, these alleged mistakes are unknown. When a law partner
24 is down with an illness, the first thing you want to do is
25 support him or her and their families during a difficult time

1 unless there are other culpable reasons which could legally
2 implicate the law firm in an adverse way.

3 So, clearly, Becky is thinking there's a little more
4 up here than something that happened on the side of the road.
5 Is that right?

6 A. Becky is very sharp. Yes, sir.

7 Q. Therefore, I have concerns there may be issues other
8 than the physical and mental ones which necessitated his
9 resignation. Depending on the issues, his law license could
10 be in jeopardy as well.

11 So it's one thing that he gets removed from his law
12 firm, but if a lawyer abuses the license, you can't practice
13 anywhere, much less your own law firm; is that correct?

14 A. That is correct.

15 Q. So his days as a lawyer could be finished?

16 A. Correct.

17 Q. This news brings a realization that he will have no
18 income stream for some time into the future, thus, as we all
19 recognize, leaving Palmetto State Bank and its shareholders
20 vulnerable if he is unable to meet his financial obligations
21 on outstanding loans and payments due in the future.

22 And then she continues on. And we will skip.
23 There's some logistics in the middle. But it says: I hope
24 this e-mail won't be viewed as insensitive; however, given
25 that others may be jockeying for position where his assets

1 are concerned -- I will go back. Is she talking about
2 security, like we were talking about security for loans and
3 all?

4 A. Yes.

5 Q. And these loans that have been cycled through
6 Palmetto State Bank --

7 A. Yes.

8 Q. -- in part by Russell, Alex Murdaugh's banker,
9 unsecured loans, loans secured by -- multiple loans secured
10 by one piece of property, issues with cars, issues with beach
11 houses, all of these things?

12 A. All of those things.

13 Q. She said, I wanted to -- continuing on with that
14 sentence: I wanted to share some of my thoughts from a legal
15 perspective and would welcome Jim Gibson's thoughts as well
16 since he is a far more seasoned litigator than I.

17 We are going to read an e-mail from Jim in a minute,
18 but he is a Board member who also happens to be a retired
19 lawyer?

20 A. That's correct.

21 Q. I look forward to hearing more about your plan to
22 address the outstanding indebtedness in light of today's
23 development.

24 When she says, I look forward to hearing more about
25 your plan, she's directing that at Russell, correct?

1 A. Yes.

2 Q. I'm also hopeful we can have a discussion about
3 immediately retaining counsel to assist in these efforts as
4 today's development has significantly changed the landscape
5 where his indebtedness and collateral are concerned.

6 And then she brings up the car issue. It appears
7 that the 2021 Mercedes is now impounded during the
8 investigation; is that right?

9 A. Yes, sir.

10 Q. After that, Gibson weighs in, correct? Go to 11D.
11 I will show you. Do you see there Jim Gibson, whoever set it
12 up, kind of botched his last name there, but there he is?

13 A. Yes, sir.

14 Q. September 6th, same day, 9:12 in the evening: I'm
15 very suspicious about the reason for his resignation from his
16 law firm. I think we need to assume the worst and take
17 immediate steps to protect the bank's position. Assuming
18 that Alex is not going to be earning any money any time in
19 the near future, it's my opinion that Alex is not going to be
20 able to avoid what is coming his way by enrolling in a rehab
21 program.

22 I kind of want to cut to the end of the chase here.
23 Did Alex Murdaugh ever make a payment on the \$750,000 loan?

24 A. No, sir, he did not.

25 Q. So the money, \$350,000 went to Chris Wilson.

1 \$400,000 went into his account to get him just into the black
2 from when he had been 360 in the red?

3 A. That's correct.

4 Q. So the money has basically dissipated immediately?

5 A. Money is gone.

6 Q. And we know at least from the wire that Russell
7 Laffitte was the one --

8 A. Sent the wire.

9 Q. -- sent off the wire to the Wilson Law Firm?

10 A. Yes, sir.

11 MR. HOLLIDAY: Your Honor, I don't know when you
12 plan to take a mid-afternoon break. This is a somewhat good
13 spot.

14 THE COURT: Ladies and gentlemen, let's take an
15 afternoon break, 10 minutes.

16 (Jury leaves open court at 4:08 p.m.)

17 THE COURT: We will be at ease 10 minutes.

18 (Whereupon, a recess transpired.)

19 (Whereupon, the jury returns to open court at 4:18
20 p.m.)

21 THE COURT: Please be seated. Mr. Holliday, please
22 continue direct examination.

23 MR. HOLLIDAY: Your Honor, thank you.

24 BY MR. HOLLIDAY:

25 Q. So we've taken a little bit of a break, Mr.

1 Laffitte. So I just want to orient us back to where we were
2 before we took the break. There was an exchange that very
3 first week of September the 6th regarding Alex Murdaugh's
4 employment status, and then just life situation in general;
5 is that right?

6 A. That is correct.

7 Q. We are going to take it forward a little bit into
8 the end of October. And before we talk about communications,
9 I want to show you a check. Exhibit 14 is what we are
10 bringing up. I'm showing you a cashier check dated October
11 28th of 2021, and the amount of the check is what?

12 A. \$690,000.

13 Q. Okay. And it's paid to the order of?

14 A. PMPED.

15 Q. And I think the jury knows this, having heard it a
16 few times, but let's just be cleared, what is PMPED?

17 A. Peters Murdaugh Parker Eltzroth & Detrick. And
18 that's what I've referred to as the law firm instead of
19 stumbling under those letters.

20 Q. And the signature down at the bottom right-hand
21 corner, what does it read?

22 A. Russell Laffitte.

23 Q. And then in the remitter, remitter line is
24 interesting. I think you should blow it up. It's hard to
25 see, the remitter line.

1 A. Remitter line says: Badger settlement from A.M.
2 misappropriation. And so A.M. clearly Alex Murdaugh, right?

3 A. Alex Murdaugh.

4 Q. Badger settlement, what does that mean? In your
5 capacity as a Board member you've had the opportunity to look
6 into this; is that correct?

7 A. Russell was a fiduciary for the Badger family.

8 Q. Right.

9 A. And --

10 Q. Well, the Badger family had been involved in a very
11 bad car accident; is that correct?

12 A. That is correct.

13 Q. And a member of the family has died in that
14 accident; is that correct?

15 A. That's my understanding, yes.

16 Q. And was there a financial settlement reached in that
17 case?

18 A. Yes.

19 Q. And as part of that settlement, who would oversee
20 the funds after the lawsuit was basically put to bed?

21 A. Apparently, Alex Murdaugh asked Russell to be the
22 fiduciary responsible for that settlement.

23 Q. And so here we have a check, and if we could blow
24 that one up, for \$680,000 that your bank is now writing to
25 the law firm?

1 A. Yes, sir.

2 Q. And is the word "misappropriation" on that check,
3 right?

4 A. Scary word.

5 Q. I want to show you Government's Exhibit 23. Okay?
6 You see there what lawyers call a caption in the upper
7 left-hand corner, basically identifies the parties to a
8 lawsuit, right?

9 A. Yes, sir.

10 Q. So if we look at that, County of Allendale, that's
11 down there near Hampton County. That's the lower part of the
12 state?

13 A. Adjoining county.

14 Q. United Parcel Services, Arthur Badger v. UPS and
15 Matthew Fields --

16 A. Yes, sir.

17 Q. -- driver. So there's a recovery amount listed
18 there as well?

19 A. Recovery amount, yes, sir.

20 Q. At least as to Arthur Badger, that's not the entire
21 lawsuit, but at least as to Arthur Badger, it's \$3.1 million,
22 correct?

23 A. Yes, sir.

24 Q. I want to go down to the bottom. You see your
25 bank's name there?

1 A. Yes, I do.

2 Q. It's right there, Palmetto State Bank?

3 A. Yes, sir.

4 Q. "Payment to fund structure per client request." In
5 your experience in banking as a Board member, do you know
6 what a structure is?

7 A. My understanding is settlements made, is the things
8 due to give it to the client, it's cash, or a structured fund
9 would be setting up an annuity, buying an annuity plan with
10 that money.

11 Q. An annuity is an investment?

12 A. It is.

13 Q. And someone would get paid out, rather than a lump
14 sum, certain payments over time?

15 A. Correct.

16 Q. When somebody buys an annuity or structure, it has
17 to be funded; is that correct?

18 A. Yes, sir.

19 Q. So then we have, payment to fund the structure,
20 \$1,325,000 to fund the structure; is that correct?

21 A. That is correct.

22 Q. Now, we are going to blow the document back up. Now
23 we are going to go under cost and expenses, which is middle
24 of the page, basically. Do you see the defendant's name
25 there?

1 A. Russell Laffitte, personal representative fee.

2 Q. And what's the amount that's over there on the far
3 right side associated with the personal representative fee?

4 A. \$35,000

5 Q. Okay. Now, if we could just blow the document back
6 up. I always hesitate to do this, why I wasn't a teacher.
7 But \$1,325,000, which is the amount to fund the structure; is
8 that right?

9 A. Bottom line, bottom page, yes, sir.

10 Q. And then we have a \$35,000 PR fee going to Russell
11 Laffitte; is that right?

12 A. Yes, that's correct.

13 Q. What does that add up to?

14 A. Excuse me, \$1,360,000.

15 Q. Right. \$1,360,000. You know what, if we divide
16 that by two, do you know what that is?

17 A. The amount written on the check.

18 Q. \$680,000. Do you know why this is a disbursement
19 sheet made by a law firm in association with this accident
20 involving Mr. Badger and there's a payment that's supposed to
21 be funding a structure of \$1.325 million, and Russell
22 Laffitte has been made \$35,000 to administer this, at least
23 according to this sheet, he's supposed to be administering
24 this. And there's \$1,360,000 out there, and he's stroking a
25 check for half of it back to the law firm. Did this make any

1 sense to you at the time?

2 A. Not a bit.

3 Q. Did it come to make sense later on?

4 A. Still doesn't make sense.

5 Q. How did you find out about all of this transaction?

6 A. Russell sent an e-mail, I believe it included all
7 the Board members.

8 Q. All right. Standard header, now the jury is very
9 aware of, this an e-mail from Russell to, in part, you and a
10 bunch of other people, right?

11 A. That appears to be the entire Board.

12 Q. HB Railroad, right there, there you are.

13 A. Yes, sir.

14 Q. And Russell writes -- this is October the 29th. Do
15 you remember the date on the check was October 28th, right?

16 A. Yes, sir.

17 Q. Next day: Everyone, I just wanted to give everyone
18 a heads-up on a charge that you will hear about in detail
19 during our next Board meeting. We took a \$680,000 loss to
20 fix an issue between us and the PMPED law firm. We converted
21 \$1,172,945.76 in checks made payable to Palmetto State Bank,
22 to numerous other places as part of another stolen case
23 settlement. This all involved a case with Alex Murdaugh. I
24 negotiated with the law firm to pay part and they paid the
25 balance to make their client whole. We are moving \$680,000

1 out of loan loss reserve to offset this loss since we have
2 ample reserves at this time. I look forward to discussing
3 this further at the Board meeting. Thanks, Russell Laffitte.

4 Do you remember where you were when you got this
5 e-mail?

6 A. I had been in Columbia with my wife. And I was on
7 I-26 driving home to Beaufort.

8 Q. And what was your reaction when you got it?

9 A. I was driving. My wife in the passenger seat.
10 These fancy phones went bling. And my wife opened the e-mail
11 and read it to me. And I immediately went to the side of the
12 road, you've got to drive, I've got to figure out what we
13 just read.

14 Q. In that e-mail in the second line, the "we" and the
15 "us", we took a \$680,000 loss to fix an issue between us and
16 the PMPED law firm, did these words raise questions in your
17 mind?

18 A. Who's the "we"? Who is the "us"?

19 Q. And then there's this word, "we converted," did
20 "converted" mean anything to you at the time?

21 A. At the time I had no idea what the word "converted"
22 meant.

23 Q. Have you come to learn what it meant?

24 A. Well, after the wife started driving the car, I
25 called Jan Malinowski who had also received this e-mail:

1 Jan, what is this telling us? What do you need to teach me
2 about the word "converted"?

3 Q. Was Jan's feeling about receiving this e-mail and
4 what you guys were being informed of similar to yours?

5 A. Yes, sir. Excuse me. I think it was on the tone of
6 his voice.

7 Q. Then you have this line that says, I negotiated with
8 the law firm. What did you think about the "I negotiated?"
9 Tell me what's going on with your bank in late October.

10 A. The bank had been involved in another issue. And we
11 had hired an outside firm, an attorney and whoever he needed
12 with him, to investigate where we stood on the first issue.

13 Q. So there was a team of lawyers at the Board and the
14 Executive Committee's disposal, is that correct?

15 A. Yes. The Board had hired -- I can't remember if --
16 with this going on, if the Litigation Committee had been
17 formed yet. But there was concern at the Board level, what's
18 happening? Because we had one incident, now this is a second
19 incident, what is going on?

20 Q. And you got the word "misappropriation," would that
21 have been something that you would have expected to be
22 brought up with this team of lawyers you have dealing with
23 whatever arises?

24 A. Certainly.

25 Q. And instead, what you are getting from the CEO of

1 the bank is, I negotiated with the law firm to pay part. And
2 then, is \$680,000 a significant amount?

3 A. Huge amount of money.

4 Q. And then what is this loan loss reserve, what's he
5 talking about?

6 A. In the accounting system of the bank, there is an
7 account loan loss reserves that the bank sets aside money so
8 if we do have problems with loans, it's an accounting issue.

9 Q. Was this even a loan, to your knowledge?

10 A. This e-mail is written in the past tense, we took,
11 we converted, I negotiated. I mean, he's done something
12 that -- what has happened?

13 Q. Let's do this. Keep in mind that loan loss
14 language. We did the math before. I am not going to do it
15 again.

16 A. Yes, sir.

17 Q. But the \$680,000 was half of \$1,360,000, right,
18 1.3 --

19 A. Half of his personal representative fee added with
20 the structured fund money, yes, sir.

21 Q. So when the money to fund the structure was coming
22 out of the settlement and then you had also Russell's PR fee
23 as well, there's no loan involved, right?

24 A. No.

25 Q. So then when it's coming out of the loan loss fund,

1 would that even have been -- even if hypothetically this had
2 been a legitimate transaction, it wouldn't have come out of a
3 loan loss fund, would it?

4 A. No.

5 Q. We are going to go back into that e-mail chain where
6 you've pulled off on the side of the road, and your wife
7 starts to drive so you can start talking to Board members,
8 trying to figure out what in the world you guys had just
9 received. Well, another Board member responds in the chain;
10 is that correct?

11 A. That is correct.

12 Q. 12B. I think we lost the very top, the "from." All
13 right. We lost the "from" again. But at the bottom you can
14 see who signed off. Who's Liz?

15 A. Liz Malinowski, a Board member.

16 Q. Liz writes: I assume one of our attorneys was
17 consulted before the decision was made.

18 In fact, y'all didn't just have one attorney at your
19 disposal, you had a team of lawyers at your disposal; is that
20 right?

21 A. Well, I can see in the cc line, at least Bobby
22 Stepp, Cal Watson, Kathy Helms, Trenholm Walker. There were
23 at least four attorneys we had hired.

24 Q. Then she said: Will you please share the
25 communication with the Board?

1 Speaking about the communication with the lawyer; is
2 that right?

3 A. She had asked -- as I read it, Liz was asking
4 Russell: I assume you -- one of our attorneys was consulted
5 before the decision was made.

6 Q. Yeah. And "consulted" means, just what, generally
7 speaking, does it mean when somebody consults with somebody?

8 A. That's a conversation with full disclosure goes from
9 one party with help from that party, back and forth, trying
10 to make sure we are making the right decision.

11 Q. We are going to get to this, but does she ask for an
12 emergency meeting in the next paragraph?

13 A. Her words: I would like to see the Board meet prior
14 to the regularly scheduled meeting for a full update and
15 discussion. Yes.

16 Q. So is this an all-hands-on-deck moment for the
17 Board, like, to try to figure out what exactly the CEO of the
18 bank has done?

19 A. Yes.

20 Q. Going on down now to 12C, did Russell respond?

21 A. Russell's response: I didn't get up. I'm sorry. I
22 don't remember the time/date of Liz's, but I think this would
23 have been a short time later Russell responded --

24 Q. I will take care of that one: Attorneys were
25 informed but not consulted. They were consulted by phone so

1 there's nothing to share. This is not a lawsuit issue. It
2 is a banking issue of us.

3 Again, that word "converting" checks, what you've
4 come to know is not the best word in a banking context; is
5 that right?

6 A. That is a bad word.

7 Q. And then he's very precise with his words here. He
8 says: The attorneys were informed but not consulted.

9 So what's the distinction between if you inform
10 somebody versus if you consult somebody?

11 A. As I read this, Russell called one of our attorneys.
12 Don't know -- doesn't say which one. It's an apostrophe S,
13 so I don't know if there was more than one attorneys called
14 or not. I am not an English teacher. But that's something
15 crazy, I think. Who did he call, what he called, but whoever
16 he called, he said, this is what I have done. He didn't ask
17 for their opinion at all.

18 Q. In your experience in the timber industry and the
19 railroad industry and now on the Board of the bank, when you
20 are making consequential decisions that involve hundreds of
21 thousands of dollars, do you document those decisions?

22 A. Certainly.

23 Q. Would you want to have some record of what has
24 transpired between you and attorneys, Board members,
25 Executive Committee members, or whatever, before you commit

1 almost three-quarters of a million dollars of the bank's
2 money?

3 A. There should have been a whole a lot more than a
4 informed conversation informing you.

5 Q. In fact, you don't even know from his e-mail even --
6 if this conversation took place, you have no idea the
7 contents of the conversation --

8 A. That is correct.

9 Q. -- at that point?

10 A. No idea.

11 Q. And then about an hour later, that's when you had a
12 chance to weigh in; is that right?

13 A. I sent an e-mail.

14 MR. AUSTIN: Objection, Your Honor. I'm trying not
15 to interrupt. He's just leading an awful lot.

16 THE COURT: He's trying to keep the thing moving
17 here.

18 MR. AUSTIN: I try not to interrupt too much.

19 THE COURT: I'm going to overrule it. I don't think
20 it's misleading the jury in any way.

21 Please continue, Mr. Holliday.

22 MR. HOLLIDAY: Thank you, Your Honor.

23 BY MR. HOLLIDAY:

24 Q. 12D, this is you, right?

25 A. Yes.

1 Q. And you are directing it to Russell. And then
2 there's a number of people in the cc line, including lawyers;
3 is that right?

4 A. I'm sorry. I missed the word. Including? I missed
5 your word.

6 Q. Including attorneys.

7 A. Oh, yes, sir. Sorry. Yes.

8 Q. These are your questions. So tell me your
9 questions.

10 A. Well, after figuring out what a conversion was in
11 the banking industry a little bit, my questions, 1, 2, 3, 4,
12 5, 6, 7 questions, were all trying to figure out what his
13 e-mail meant. Who was responsible for the conversions? He
14 had used a "we" and an "us." Are multiple employees
15 involved? Who are the employees? And I asked, when did it
16 happen? And I added a slash line, "they," wanting to know if
17 it happened one time, would be it. "They" being did it
18 happen more than one time? What all was involved? How many
19 times? How many other cases like this are out there? And
20 had we let the employee -- once again, I didn't know, he had
21 used the "we" and the "us", so I put if there are multiple
22 employees parenthesis S for employees, had we let the
23 employees who did this go?

24 Q. Why did you consider this a firing offense?

25 A. Banks live on trust and doing the right thing. To

1 take somebody's money, it was supposed to go to party A and
2 it did not go to party A, you don't bank that way. You don't
3 fiduciary responsibility that way. This is a horrible
4 offense.

5 Q. Did Russell respond and provide further
6 clarification to exactly what his role was?

7 A. Russell did send back an e-mail.

8 Q. This is Exhibit 13. He says: We will discuss in
9 the Board meeting. I was responsible. 12 checks made
10 payable to Palmetto State Bank converted to others.
11 Hopefully no other cases. This took place in 2013.

12 It's interesting that he says, hopefully no other
13 cases. We will get to this, but were there other cases?

14 A. Yes.

15 Q. Was he involved in the other cases?

16 A. Yes.

17 Q. He would have known about that "hopefully no other
18 cases" better than anybody else in the bank; is that right?

19 A. That is correct.

20 Q. Did the Board meet on October the 31st of 2022?

21 A. Special called meeting, yes.

22 Q. I'm sorry. 2021, I got the date wrong. A special
23 Board meeting August 31st of 2021?

24 A. I'm sorry. I was in the 2021 time frame with you,
25 yes.

1 Q. So there's privilege issues obviously there, lawyers
2 were involved, but generally speaking, generally, what were
3 the two major decisions that the Board reached at that
4 meeting?

5 A. At that meeting, we wanted to know what was going
6 on. And we needed to get to the bottom of it. So out of the
7 Board, we elected a Litigation Committee with Board members
8 to help guide us and direct us. And we decided to hire a
9 litigation -- a team of investigative attorneys and whoever
10 else they needed to help us get to the bottom of this problem
11 and if there were other problems that we did not know about.

12 Q. Okay. And I think let's just leave it there for
13 now. There is, in fact, a November 3rd, 2021, Board meeting,
14 right, shortly after the Halloween meeting?

15 A. Yes, sir.

16 Q. A few days later?

17 A. Yes, sir.

18 Q. Did you attend that meeting?

19 A. If you could pull up the exhibit, I would rather
20 answer it that way.

21 Q. I will get to that. First of all, before the
22 November 3rd Board meeting, I want to show you an e-mail
23 exchange to put it in context. It had been admitted into
24 evidence as Government's Exhibit 80. And we need to go to
25 the second page first. So just for the jury's benefit, we

1 are going to read below that red line. Okay? So this is
2 from Russell Laffitte, November 2nd, 2021, to Trenholm
3 Walker, who is Trenholm Walker?

4 A. Trenholm is one of the attorneys that we had hired
5 to help us figure out what was going on.

6 Q. And tell me the significance of the four people who
7 are copied on that e-mail.

8 A. Those four people are the Litigation Committee that
9 had been established a few days prior.

10 Q. Okay. And the re line says what?

11 A. Badger.

12 Q. So that's the whole Badger matter that we've been
13 discussing, the \$1.325 structure plus the \$35,000 PR fee and
14 all that?

15 A. Yes.

16 Q. It says from Russell to Trenholm: Please let me
17 know when we decide to pay the check to the law firm. I
18 would like to call them to do this sooner rather than later.
19 Thanks, Russell. Okay?

20 A. Yes, sir.

21 Q. Now, above that -- I think very briefly, Tracy, we
22 need to go to the first page so the jury can know when that
23 was -- yeah.

24 So apologies, the header is down at the bottom, from
25 Trenholm Walker to Russell, copying the Litigation Committee

1 November 2, 2021, later that day; is that right at the very
2 bottom?

3 A. Above the line or below the line?

4 Q. Below the line.

5 A. Yes, at 5:06 p.m. you are talking about?

6 Q. Yes.

7 A. Trenholm did send an e-mail apparently to Russell
8 and the Litigation Committee regarding Badger.

9 Q. All we are doing here is orienting the jury as to
10 when that e-mail was sent, because the text is on the next
11 page.

12 A. I'm trying to keep up too.

13 Q. So let's go to page 2, please. And this is it:
14 Russell, I will handle it. It will get in touch with Ronnie
15 again to discuss this. Please refrain from dealing with
16 Ronnie on this. I need to make sure that there's a clear
17 understanding of the terms if the bank is willing to pay the
18 amount. I will call him again later today or first thing in
19 the morning. Trenholm.

20 Who is Ronnie?

21 A. That would be Ronnie Crosby, one of the lawyers in
22 the law firm.

23 Q. Okay. So Trenholm is informing Russell that he will
24 get back in touch with Ronnie; is that correct, from the
25 first line?

1 A. I will get in touch with Ronnie to discuss, yes.

2 Q. And then what are -- what is Trenholm suggesting as
3 far as Russell's interaction with Ronnie in the next
4 sentence?

5 A. Please refrain from dealing with Ronnie on this.

6 Q. I need to make sure that there's a clear
7 understanding of the terms if the bank is willing to pay this
8 amount. Were you aware, when Russell indicated that he had
9 negotiated this, had he negotiated anything besides an
10 amount? Was there a release? Was there any kind of language
11 protecting the bank's interest that went along with his
12 unilateral negotiation with the law firm?

13 A. No.

14 Q. And then Trenholm is saying he's going to get on it:
15 I will call him again later today or first thing in the
16 morning. Do you see that?

17 A. Yes, sir.

18 Q. And next page. Russell responds -- and these
19 e-mails are going back and forth. So if you look at the
20 bottom, and I apologize it's small, but says 5:06, November
21 the 2nd?

22 A. Yes.

23 Q. And on top I think it's 5:35 on November the 2nd.
24 So the e-mails -- there's a Board meeting the next day,
25 right?

1 A. Yes, sir.

2 Q. And so the e-mails on the afternoon, late afternoon
3 of November the 2nd are going quickly back and forth?
4 Trenholm is saying Russell says, call me, let me know when I
5 get back in the firm. Trenholm says, I don't want you to do
6 that.

7 And then we get this from Russell: Trenholm, the
8 bank is paying this amount. The verbal contract between --
9 again, verbal, nothing in writing -- between Palmetto State
10 Bank and the law firm PMPED was done with the approval of the
11 chairman of the Board and the CEO.

12 Who is the chairman of the Board?

13 A. That would be his father, Charlie Laffitte.

14 Q. Charlie Laffitte, right?

15 A. Yes.

16 Q. Who also signed off on the \$750,000 loan back in
17 July?

18 A. Charlie Laffitte.

19 Q. You're welcome to discuss terms, but it is not an
20 option to not pay. What are the instructions that Russell is
21 giving to Trenholm in the first paragraph of this e-mail?

22 A. Russell, the CEO, is saying we are going to pay the
23 \$680,000, don't get in the way of it.

24 Q. He says: We agreed to this settlement amount, not
25 because I was PR.

1 Was he, in fact, a PR somewhere, because he received
2 a PR fee?

3 A. He was a PR in the Badger subject line name, yes.

4 Q. Or Alex stole -- if Alex is the only one stealing
5 the money, why would your bank pay his law firm half the
6 amount that was stolen?

7 A. Should have never done it.

8 Q. It was done due to the fact that I converted these
9 checks made payable to -- made to Palmetto State Bank. We
10 were actually happy to settle for \$680,000 versus the full
11 amount. Were you happy?

12 A. No. I mean, \$680,000 of shareholder money out the
13 door, for what?

14 Q. Without a release, what was the bank's exposure
15 regarding this \$680,000, or if you cut it the other way,
16 \$1,325,000?

17 A. Say that question again.

18 Q. If you had no release, what's the bank ongoing
19 exposure based on this \$1,325,000, or \$1,360,000
20 misappropriation of money?

21 A. We could have owed the whole thing. We could have
22 owed none of it. The Board doesn't have a clue what's going
23 on.

24 MR. HOLLIDAY: Your Honor, at this point I'm going
25 to introduce Exhibit 200. That is a transcript that the

1 defense has not stipulated to. It's an ODC transcript. It
2 is a sworn statement by the defendant. And, obviously, it's
3 a sworn statement of a party opponent. I aim to introduce
4 two pages from this transcript.

5 THE COURT: I have not seen the document. Do you
6 have it available, a printed copy?

7 MR. HOLLIDAY: I do.

8 THE COURT: Is that the whole thing?

9 MR. HOLLIDAY: But I have the two pages here. What
10 would you like to see, Your Honor?

11 THE COURT: The pages you intend to use.

12 MR. HOLLIDAY: Your Honor, too, just for your
13 reference, so you have that, we flagged the portion that I
14 intend to talk about.

15 THE COURT: Does the defense oppose the admission of
16 this document?

17 MR. AUSTIN: Say again, Your Honor.

18 THE COURT: Does the defendant oppose the admission
19 of this document?

20 MR. AUSTIN: No, Your Honor.

21 THE COURT: You are offering Exhibit 200?

22 MR. HOLLIDAY: I am. At this time, the Government
23 moves to admit Government's Exhibit 200.

24 THE COURT: Admitted. No objection. You were
25 trying to get in the first two pages or the entire exhibit?

1 MR. HOLLIDAY: We are going to move the entire
2 exhibit in, but I'm only going to reference two pages.

3 THE COURT: Exhibit No. 200 is admitted.
4 Government's Exhibit 200 is admitted.

5 (Government's Exh. 200 is received in evidence.)

6 MR. AUSTIN: Your Honor, we have no objection to the
7 entire transcript coming in.

8 THE COURT: I think it's all -- it would all come
9 in, the entire thing. Yes, sir.

10 BY MR. HOLLIDAY:

11 Q. So going to 200B. So I want to show you -- this is
12 Government's Exhibit 200. It's an excerpt. Page 104 and 105
13 is all we are going to do, a sworn statement by the
14 defendant. He's being questioned. In the middle of the
15 page, picking up on line 13: And was there another
16 consideration too, like with cost benefit and litigation in
17 Hampton County turning an adverse result that was greater
18 than the 1.3 million?

19 And that's a rounding of the 1.3 million we've been
20 talking about at length after the break, right?

21 A. Yes.

22 Q. Russell's response: You know, they didn't want to
23 pay it. When I took it to the Board, the Board went
24 absolutely ballistic. They wanted to claw it back. And I --
25 part of the reason I got fired, I put my foot down, and I

1 said no. I said three of the four members of the Executive
2 Committee discussed this in-depth, which was my sister, Gray
3 Henderson, myself, and Charlie Laffitte, who is also the
4 Board chairman.

5 So at this point, this questionable payment of
6 \$680,000 to settle an obligation you don't even know that the
7 bank actually owes, he's pulling his sister and his father
8 into it; is that right?

9 A. Yes.

10 Q. We have the authority by our bylaws to settle any
11 lawsuits whatever or potential.

12 Was there a lawsuit at the time?

13 A. There was a lawsuit --

14 Q. Regarding Arthur Badger and your bank?

15 A. Not with Arthur Badger and our bank.

16 Q. We thought it was in the best interest, so we did
17 it, and they wanted to claw it back.

18 When he says "they" again, he's referring to the
19 Board; is that right?

20 A. Yes.

21 Q. And I told them absolutely not. I gave them my word
22 we were paying it, and by God, we were paying it.

23 Is that what it says?

24 A. You read like I read.

25 Q. Did you say: Like, for the authority to settle on

1 an amount that large, would you, could you do it yourself, or
2 did you need that particular support?

3 He says: I don't think I needed to go, but I was
4 going to. I mean, we are family.

5 So, again, pulling his sister and his father into
6 this deal where you are not even sure that the bank has any
7 exposure here because it just says A.M. misappropriation.
8 It's not a loan from the disbursement sheet, is it?

9 A. No.

10 Q. You don't know what it is at this point?

11 A. In the dark.

12 Q. Then he says: We would discuss it. I never tried
13 to hide it. We wouldn't try to hide it. Never tried to say
14 it was anybody's fault but my own.

15 The payment of \$680,000 to the law firm is Russell
16 Laffitte's fault, isn't it, by his own admission?

17 A. By his own admission.

18 Q. Now, at the Board meeting, when you are seeking
19 answers to your questions -- and I know it's difficult to
20 separate because you've learned things since. You have to
21 put yourself back in November the 3rd.

22 A. All right.

23 Q. Were you all informed where that \$680,000 had come
24 from? We've seen the disbursement sheet today. Did you have
25 that disbursement sheet on November the 3rd?

1 A. Did not.

2 Q. Were you told what that \$680,000 or \$1.3 million had
3 been converted to?

4 A. Did not know that.

5 Q. One of his e-mails says there were 12 checks that he
6 transacted. Were you shown any of the 12 checks?

7 A. I was not.

8 Q. Were you all explained who those 12 checks went to?

9 A. You are facing the other way.

10 Q. Who the 12 checks went to?

11 A. No, sir.

12 Q. Were you told the purpose behind the 12 checks?

13 A. No, sir.

14 Q. Were you told why the bank, your bank, should be
15 paying the law firm back for those 12 checks?

16 A. No, sir.

17 Q. Were you operating in the dark?

18 A. Hard dark.

19 Q. And at that time, because you hadn't seen the
20 disbursement sheet, were you told that some of that \$680,000
21 was half of the \$35,000 that he had paid?

22 A. Did not know that.

23 Q. Moving now to Government's Exhibit 37 -- might as
24 well put up 38. These two e-mails go hand-in-hand. One
25 follows the other one. And we are going to walk through them

1 for the benefit of the jury. On the left-hand side of this
2 screen, there's an e-mail from Alex Murdaugh to Russell. Do
3 you see that?

4 A. I do.

5 Q. Subject, check, singular. Do you see that?

6 A. Single check, yes, sir.

7 Q. And now we are going back. So we've been talking
8 about how this is unraveling in October of '21. But the date
9 of this e-mail goes all the way back to 2013, right?

10 A. Yes, sir.

11 Q. And you know that in one of the Russell's e-mails to
12 the -- to all of you, he talks about this happening back in
13 2013?

14 A. Yes, he did.

15 Q. And then there's basically four lines that we are
16 looking at right there. Okay? And Alex is saying -- yeah.
17 Go ahead. That's good.

18 We are going to start at the bottom. Okay? It
19 says, please e-mail -- this is Alex writing to Russell. He's
20 saying: Please e-mail me and ask that Check No. 43162 dated
21 November 19th, 2012, for \$1,325,000 be re-cut as listed
22 above.

23 \$1,325,000, that was the structuring amount for the
24 Arthur Badger settlement sheet, wasn't it?

25 A. Yes, it was.

1 Q. And Murdaugh is saying re-cut it. But he's --
2 what's the significance of him saying, please e-mail me and
3 ask that that check number be re-cut? If it's too difficult
4 a question, I will make it clear in a minute.

5 A. Please repeat your question to me.

6 Q. I'm going to withdraw the question for now and we
7 will revisit the question.

8 There's an amount \$388,687.50. That's the first
9 re-cut, right?

10 A. Yes. I understand your question now.

11 Q. And then the next line, whatever the amount I owe on
12 Hannah loan, as a Board member, you've had the benefit of
13 looking into this whatever. Who is Hannah?

14 A. Russell was a fiduciary for two girls that were
15 involved in an automobile accident. And Alex had loaned --
16 had been loaned some money out of that fiduciary account.

17 Q. Then there's \$75,000 is the next one?

18 A. Yes, sir.

19 Q. Then: Whatever the balance would be on the
20 \$1,325,000 after these deductions. So there's three things
21 he's got in mind. And then he says, whatever is left, we are
22 going to take the rest of it as well; is that right?

23 A. He's asking for a figure.

24 Q. So if we can, we will blow it back up. So left
25 side, Alex asked Russell to send him an e-mail describing --

1 asking him to re-cut the check? Right side is the e-mail.

2 A. Yes, sir.

3 Q. All right. Check No. 43162, that was the check that
4 was in that bottom line that said --

5 THE COURT: Slow down.

6 MR. HOLLIDAY: I apologize.

7 BY MR. HOLLIDAY:

8 Q. Well, read it.

9 A. Russell writing to Alex: Alex -- and this goes back
10 to the e-mail you had talked about just a second ago -- can
11 you please get Jeanne to re-cut Check No. 43126 dated
12 11/19/2012, as follows.

13 And the check is now broken down into four figures.
14 First \$388,687.50, which was on that first e-mail. The
15 second figure goes back to the Hannah loan, \$151,726.05. The
16 third figure is the same that was on the previous e-mail of
17 \$75,000. And the fourth figure represents the difference, I
18 hadn't done the math, I guess between \$1,325,000, taking out
19 the first three lines, and that's the amount that's left over
20 \$709,586.45.

21 Q. In the Alex e-mail on the left, the second line
22 under the 388,687 says what again?

23 A. Whatever the amount I owe on Hannah loan.

24 Q. Alex didn't know what he owed on the Hannah loan,
25 did he?

1 A. Not by that sentence.

2 Q. If you go by the e-mail on the right from Russell to
3 Alex, who knew what was owed on the Hannah loan?

4 A. Russell knew the amount.

5 Q. And he filled the amount in, didn't he?

6 A. He filled the amount in.

7 Q. I want to go now to Exhibit 29. We are going to
8 blow it up. What I would like to do, actually, is put the
9 Exhibit 38 on one side and 29 on the other, please.

10 So the first amount is \$388,687.50. We are going to
11 start at the bottom. Alex has asked Russell to have the bank
12 re-cut the Badger structured check?

13 A. Yes.

14 Q. And this is the first one, right?

15 A. Yes, sir.

16 Q. So, again, it's on the Peters Murdaugh account paid
17 to the order of Palmetto State Bank. And there's that amount
18 \$388,687.50, right?

19 A. Yes.

20 Q. What's in the memo line?

21 A. Arthur Badger.

22 Q. And then on the right side, when was the check
23 transacted?

24 A. Right side under Palmetto State Bank, routing
25 number, Hampton 2013-02- --

1 Q. We don't need all that. What's the date?

2 A. I'm sorry. That looks like February 11th, 2013.

3 Q. February 11th, 2013?

4 A. Yes, sir.

5 Q. Now we go up and we see a check -- or a money order.

6 I'm sorry. So it says there for the benefit of -- I know
7 it's small, but it says "bank money order" inside my circle;
8 is that right?

9 A. Close.

10 Q. Can you see it?

11 A. Yes.

12 Q. And then the amount is basically that 388 that was
13 on the very top line of the Russell to Alex e-mail; is that
14 right?

15 A. Yes, sir.

16 Q. Who is Johnnie Parker?

17 A. Johnnie Parker is -- I guess at this point he is the
18 most senior member of the law firm in Hampton County.

19 Q. When y'all had that November 3rd Board meeting
20 trying to get to the bottom of this Badger money and the
21 \$680,000 that's supposedly the bank owes to the law firm,
22 does Russell tell you why \$388,000 of Badger money is going
23 to Johnnie Parker?

24 A. He did not.

25 Q. Did he explain to you why y'all should pay the law

1 firm half of that amount when one of the -- the senior
2 partner in the law firm got the bulk, almost \$400,000?

3 A. He did not.

4 Q. Moving now, second line under 388 is 151,726. We
5 are going to move to Exhibit 29. Next page, please. And
6 this is another one of these checks that jury is going to be
7 seeing a lot of. There's the \$151,726.05. On the left-hand
8 side where there's 38, I want to go back to 37. Okay. You
9 see there under the \$388,687.50, reads that for the jury,
10 please.

11 A. Whatever the amount I owe on Hannah loan.

12 Q. Okay. And if we can go to next page on the
13 right-hand side, please. So there we've got the 151,726.05
14 that -- the jury will remember this from the Government's
15 Exhibit 38, whatever the amount I owe on Hannah loan, was
16 filled in with that amount; is that correct?

17 A. Yes.

18 Q. The checks's been cut by Palmetto State Bank. And
19 now it's being deposited into the Hannah Plyler account; is
20 that right?

21 A. Yes.

22 Q. On your November 3rd meeting, where you were seeking
23 explanations as to why the bank should be paying \$680,000 to
24 the law firm, does Russell Laffitte explain to you why Arthur
25 Badger's money is going to Hannah Plyler?

1 A. He does not.

2 Q. Let's go next page on Government's Exhibit 29.

3 Okay. We don't -- we are going to stick with the -- the jury
4 can just see the corner of Government's Exhibit 37 there on
5 the far left. What does it say in the third line down when
6 talking about amounts?

7 A. 75K.

8 Q. What's the amount on this, the check down -- let's
9 start at the bottom. What's the amount on that check?

10 A. The law firm's check is for \$75,000.

11 Q. Just so the court reporter is clear, it's "for",
12 f-o-r, space, 75,000, right?

13 A. I don't see --

14 Q. Sounded like --

15 A. I'm sorry. I don't see "for". But the check is
16 written for \$75,000, yes.

17 Q. Correct. And then if we go up above that, there's
18 another bank money order that the jury has just seen in the
19 other instance. Do you see that?

20 A. Yes, I do.

21 Q. Who is that made payable to?

22 A. That would be Alex's dad, Randolph Murdaugh, III.

23 Q. And he's getting \$75,000 of Badger money, right?

24 A. The memo line on the check says Arthur Badger. And
25 it appears to be that his father got that --

1 Q. The memo line at the bottom says that. Is there
2 anything on the money order that indicates that? Does it
3 basically go away once it gets to the next level?

4 A. Yes, nothing.

5 Q. And your November 3rd Board meeting, when y'all were
6 trying to figure out why you paid \$680,000 to the law firm,
7 did he explain why you were responsible for half of what was
8 paid to Randy Murdaugh?

9 A. No.

10 Q. Let's go to the next page, please. I missed
11 something. So let's go back. We are sticking with this
12 exhibit. All right. We actually need to go one back. Blow
13 up the top.

14 You see we've talked about Randy Murdaugh here. We
15 talked about the \$75,000 here, which is also here; is that
16 right?

17 A. Yes.

18 Q. This is Palmetto State Bank. Whose initials are
19 those?

20 A. Russell Laffitte's initials.

21 Q. Okay. Next page on that side. Okay. Now, okay,
22 there's four lines in that e-mail.

23 A. Let me back up. Let me back up. That appears to be
24 Russell Laffitte's initials.

25 Q. Right. That's sort of reads, RLL?

1 A. Yes.

2 Q. We've talked about the 388. We've talked about
3 whatever I owe Hannah. We've talked about 75.

4 A. Yes, sir.

5 Q. Now we are in the "whatever is left" phase of the
6 e-mail. Okay?

7 A. Correct.

8 Q. So let's go to first one. So, first of all, same
9 initials, bottom right-hand side?

10 A. Same initials.

11 Q. How much money?

12 A. \$7,500.

13 Q. Who is this one made payable to?

14 A. Made payable to Alex's wife, Margaret Murdaugh.

15 Q. Next one down, please. This one -- go ahead and
16 just -- you know what I'm going to ask you. Publish the
17 check, please.

18 A. This check says, loan payment dated 10/3/2013 for
19 \$93,869.49 made payable to Hannah Plyler. And it's signed by
20 Russell.

21 Q. And just not to lose sight of this, this money is
22 coming from where?

23 A. This is Arthur Badger money.

24 Q. And, again, going to pay a loan payment for Hannah
25 Plyler; is that right?

1 A. Yes.

2 Q. And what do those initials read, the blue letters
3 read?

4 A. RLL, Russell.

5 Q. \$93,000, does he explain to you in the November 3rd
6 meeting why y'all are paying half of that amount back to the
7 law firm?

8 A. He does not.

9 Q. So, again, all the thing that we have been going
10 over, all these checks, all the re-cut, the 388, the 75, the
11 one whatever it was to Hannah, and now all these, none of
12 these were presented to you in the November 3rd Board
13 meeting?

14 A. They were not.

15 Q. When you are trying to get to the bottom of the
16 \$680,000 check?

17 A. We don't know what it is.

18 Q. And now the bottom one, please. So focusing very
19 briefly, because there's going to be some in sequence, the
20 check number at the top right-hand corner is what?

21 A. 45026.

22 Q. Okay. And the amount is what? It's a little hard
23 to make out.

24 A. The wording is \$101,369.49?

25 Q. That's how I read it too. Then in the memo line for

1 all to see, what does it say?

2 A. Estate of Donna Badger.

3 Q. Next one, please. Now, this is why -- we haven't
4 done this yet, but we did it on this one. I had you read the
5 check number from the previous one, right, 45026?

6 A. Yes.

7 Q. What's the check number here?

8 A. Sequentially the next check, 45027.

9 Q. And what's the amount on the check?

10 A. \$101,369.49.

11 Q. And this one passed to Palmetto State Bank when?

12 A. On 9/13/ -- September 13th of 2013.

13 Q. That's when the check was cut. When was it
14 transacted?

15 A. I'm sorry. December 18th of 2013.

16 Q. Okay.

17 A. Three months later; three months, five days.

18 Q. Now we are going to go to the next page, please.

19 Now, you just mentioned for the benefit of the jury that that
20 check was cut on September the 13th. It was not transacted
21 until December the 18th; is that right?

22 A. That is correct.

23 Q. Then when it ultimately is transacted, where does it
24 go?

25 A. Hannah Plyler.

1 Q. Did Russell ever explain to you all why Badger money
2 was being diverted to Hannah Plyler?

3 A. He did not.

4 Q. Okay. Next page, please. This one -- we've been
5 talking about checks in sequence. What's this one?

6 A. This now is the third check in a row. This is
7 45028.

8 Q. Right. Right. What's the amount on the check?

9 A. \$101,369.49.

10 Q. Consistent with the same amount on the other ones,
11 right?

12 A. Yes, sir.

13 Q. And this check was cut on November -- September the
14 13th; is that correct?

15 A. September 13th, yes.

16 Q. But when was it transacted to the bank?

17 A. It was transacted on 10/28/13.

18 Q. So they were written in a certain sequence, but the
19 last two were reversed; is that right?

20 A. As far as when they were deposited in the bank, yes.

21 Q. I apologize for talking over you. Next one, please.
22 And then again, so before we talked about there was a
23 December deposit into the Hannah Plyler account. Now we jump
24 back. We see what happened in October. What happened in
25 October?

1 A. October 28th, '13, \$101,369.49 were deposited in the
2 Hannah Plyler account.

3 Q. And I know this is repetitive, but it's important.
4 Did Russell Laffitte explain to y'all why these three checks
5 for \$101,000 and change were cut to Hannah Plyler, deposited
6 into her account to pay off loans from the Badger account?

7 A. He never explained it.

8 Q. Did he explain why y'all, for some reason, needed to
9 pay half of that back?

10 A. He did not explain that.

11 Q. Next page, please. I know we are walking through
12 financial documents. I don't want the jury to lose sight
13 of -- this Government's Exhibit 37 again. This is whatever
14 the balance would be on the 1.325 after these deductions. We
15 are just spending money now, right?

16 A. Yes.

17 Q. Okay. First one, please. This is another one of
18 those loan not on system notations we saw back with the 750
19 way back several hours ago; is that right?

20 A. Yes, sir.

21 Q. And just read the description, please, under that,
22 loans not on system?

23 A. Cover wire to Southern Crane.

24 Q. And how much money are we talking about here being
25 wired to Southern Crane?

1 A. \$49,500.

2 Q. And this is Badger money going to Southern Crane; is
3 that right?

4 A. Yes, sir.

5 Q. Did Russell explain to you why that happened?

6 A. He did not.

7 Q. Next one down, please. Pretty straightforward, just
8 tell the jury what this one is.

9 A. \$1,184.75 was taken out of Palmetto State Bank. And
10 that is exactly what it says, cash out ticket. Came out of
11 teller No. 4's drawer.

12 Q. Next one. Okay. This is a -- well, tell the jury
13 what this one is.

14 A. This is a check drawn on the law firm dated -- I
15 think that's September 13th, 2013, pay to the order of
16 Palmetto State Bank, \$50,684.75, with a memo line of Estate
17 of Donna Badger.

18 Q. What's the check number on this one?

19 A. This is 45030.

20 Q. Okay. And this is for 50,000 and change; is that
21 right?

22 A. Yes, sir.

23 Q. And when was it transacted?

24 A. October 29th, 2013.

25 Q. Okay. Now, let's go to the next one, the next page,

1 please. So we just looked at Check No. 45030. What's the
2 check number here?

3 A. This is sequentially the next check, 45031.

4 Q. And another \$50,000 and change; is that right?

5 A. That's correct.

6 Q. When was this one actually processed through the
7 bank?

8 A. That was four months later. That was January 21st
9 of '14.

10 Q. Okay. Let's go to the next one please. All right.
11 Now, we've been looking at these \$50,000 checks. This is
12 that January 21st transaction we were just talking about.

13 A. Yes, sir.

14 Q. Just on the face of this, what is this document?

15 A. It is a deposit slip that the bank uses.

16 Q. And what's the date of the deposit slip?

17 A. 1/21/14.

18 Q. Is that consistent with what we saw on the back of
19 the check just a second ago?

20 A. Yes.

21 Q. And the amount is also consistent 50,684?

22 A. That is the same amount.

23 Q. As an officer of the bank, have you had the
24 opportunity to confirm whether or not that account number
25 belongs to Donna Badger?

1 A. That account number is not Donna Badger's account
2 number.

3 Q. Whose account number is it?

4 A. Alex Murdaugh's.

5 Q. Did Russell Laffitte explain to you in the Board
6 meeting on November 3rd why y'all would pay half of this
7 money that was diverted under the name of Donna Badger into
8 Alex Murdaugh's account?

9 A. He did not explain it.

10 Q. Next page, please. Just another one of these check,
11 when was it transacted down at the bottom?

12 A. December 19th, 2013.

13 Q. Okay. Very good. Next page, please. This one is,
14 again, coming out of the Badger money. Just what is this?

15 A. Says a file copy payable for a wire fee dated
16 December 19th of 2013 for \$34,000.

17 Q. Were you all told what this wire fee was for by
18 Russell Laffitte?

19 A. The Board was not told, no.

20 Q. Were you explained why you should be paying back
21 half of this amount to the law firm when you don't even know
22 what the wire is for?

23 A. There's no explanation.

24 Q. We see those blue initials again that we've been
25 looking at already.

1 A. I believe those are Russell's initials.

2 Q. Next one, please. So now a little more clarity as
3 to the wire that we just looked at. If you would, just tell
4 the jury what's the date of the top of the wire?

5 A. The date is 12/19/2013.

6 Q. Okay. And the sender is whom?

7 A. Sender is Alex Murdaugh.

8 Q. And the receiving bank is TD Bank in Charleston,
9 right?

10 A. Yes.

11 Q. Who is the beneficiary?

12 A. 4M Iron, LLC.

13 Q. That's on Clements Ferry Road, not far from here, I
14 guess, here in Charleston?

15 A. Yes.

16 Q. Do you know what 4M Iron is?

17 A. No idea. Never heard of them.

18 Q. And then the amount is noted there. At the very
19 bottom you see 34,000 is consistent with the exhibit we just
20 looked at a minute ago?

21 A. Yes.

22 Q. And then the sender's signature reads at least what?

23 A. The sender's signature reads Russell Laffitte.

24 Q. And in fairness, is that consistent with the
25 signatures of Russell that we've seen before?

1 A. He put initials on other places. Here it's printed
2 out.

3 Q. But regardless, did he explain to you in that
4 November 3rd Board meeting why Badger money would be going to
5 4M Iron on Clements Ferry Road in Charleston?

6 A. No, he did not.

7 Q. Next one, please. We got -- apparently, the Badgers
8 bought a Jeep, or at least money is sent to purchase the
9 Jeep; is that right?

10 A. This is a file copy of a money order drawn on
11 Palmetto State Bank. It says payable to Jeep purchase,
12 \$8,200.

13 Q. What's the name -- you see receipt for bank money
14 order drawn on, what's the name right under there?

15 A. Edward Smith.

16 Q. It's not a Badger name, is it?

17 A. It's not a Badger name.

18 Q. Did he explain why \$8,200 would have gone from
19 Badger money to pay for a Jeep for the benefit of Edward
20 Smith?

21 A. He has not; did not.

22 Q. Next one, please. We are not going to belabor this.
23 Another cash-out ticket for Badger money; is that right?

24 A. Another \$8,484.75 came out of Teller No. 2's drawer.

25 Q. Next one, please. And just to pick things up a

1 little bit, \$29,000 to Honeycreek Motors, right?

2 A. Yes, sir, Russell's initials.

3 Q. You see the initials we are used to seeing down
4 there, right?

5 A. That's correct.

6 Q. Next one, please. Another cash-out ticket. How
7 much is this for?

8 A. \$4,739 -- or 89 and .03 cents.

9 Q. Next one, please. This is going back to the
10 December '13, but it's different amount \$33,789. Do you see
11 that?

12 A. Yes, sir.

13 Q. Transacted in December of '13, is that correct?

14 A. Yes, sir.

15 Q. Next one, please. And on that page, is that
16 basically the same amount that we looked at a minute ago, the
17 \$33,789?

18 A. Sequential check.

19 Q. No explanation why that's being cut out of the Donna
20 Badger account?

21 A. That is correct.

22 Q. Next one, please. This goes back to what we were
23 saying before. As an officer of the bank, did you have the
24 opportunity to review the account number on this slip?

25 A. The account number is one of Alex Murdaugh's

1 accounts. And the name says Donna Badger, conflict.

2 Q. So the Donna Badger on there, that's a ruse?

3 A. That's an absolute ruse.

4 Q. Next one, please. If that money is just going
5 straight to Alex Murdaugh, again, why is Palmetto State Bank
6 paying half to Alex Murdaugh's firm?

7 A. It makes no sense whatsoever.

8 Q. All right. So this one -- again, the jury's seen a
9 number of these checks so far. So we're just briefly going
10 to touch on it. \$33,789.83 drawn on the estate of Donna
11 Badger. Next document, please. And again, being deposited
12 into the account of Hannah Plyler. No time in that meeting
13 were you ever given an explanation as to why Badger money was
14 being paid to Hannah Plyler's account; is that right?

15 A. We were never given that explanation.

16 Q. Okay. All right. Next one, please. So this is an
17 interesting one. Right? So who's this one paid to the order
18 of?

19 A. Bank of America.

20 Q. Not even Palmetto State Bank; is that correct?

21 A. Different banks completely.

22 Q. And it's \$101,369; is that correct as well?

23 A. And 49 cents, yes, sir.

24 Q. Didn't even cycle through your bank?

25 A. No, sir.

1 Q. This one just says "settlement proceeds" down at the
2 bottom?

3 A. Yes, sir.

4 Q. And then let's look at the next one. Another bank
5 of America check, \$50,684, this one did not go through your
6 bank; is that right?

7 A. Went through Bank of America, not Palmetto State
8 Bank.

9 Q. Did Russell explain to you why Palmetto State Bank
10 should be paying back money that went to Bank of America?

11 A. He did not.

12 Q. Next page, please. I think that was it. All right.

13 So just to summarize, we've gone through a lot.
14 Jurors have been very patient as we've walked through a
15 number of these transactions that were very important.

16 In summary, during that November 3rd, 2021, Board
17 meeting when you were trying to figure out how to handle
18 Russell's payment that he negotiated to the law firm, did he
19 present you with any of the checks or deposit slips or wires
20 that we've been looking at that went out of the Badger
21 account?

22 A. He did not.

23 Q. Did he explain why all these companies and people
24 unassociated with Badger were receiving these amounts?

25 A. He did not.

1 Q. As you sit here today, do you believe that he was
2 being candid with the Board about why the \$680,000 was given
3 to the law firm?

4 A. Absolutely not.

5 Q. Did he explain that some of the money paid to the
6 law firm had actually -- was actually money that was paid to
7 him as a personal representative?

8 A. He did not tell us that was in there.

9 Q. And then we just talked about this, he didn't tell
10 you that some of the money had actually gone to Bank of
11 America either, did he?

12 A. No, sir.

13 Q. How did you find out about all of this? It wasn't
14 from Russell, was it?

15 A. It was not from Russell.

16 Q. So we've been talking about November. In December
17 you get another surprise; is that correct?

18 A. Please refresh me. I'm getting tired.

19 THE COURT: I'm wondering, Mr. Holliday, I'm worried
20 about my jury getting tired. Is this a good time for a
21 break?

22 MR. HOLLIDAY: I don't want to lose their attention,
23 Your Honor. So I am probably three pages from the end. But
24 I'm just fine to stop here for the evening.

25 THE COURT: I just think there's a lot of detail.

1 Ladies and gentlemen, we are going to break. I want
2 you to be here a little before 9. So at 9 we can walk
3 through the door and start again. I want to thank you for
4 y'all's attentiveness. Y'all have been great. I'm going to
5 remind you, do not discuss the details of this with anyone.
6 Do not read anything in the media. You have the front-row
7 seat here at trial. I will see you tomorrow morning. Thank
8 you.

9 (Jury leaves open court at 5:30 p.m.)

10 THE COURT: You may be seated. Either party have
11 any matters to bring before the Court at this point?

12 MS. LIMEHOUSE: The Government has one minor issue,
13 Your Honor, that we would like to inform the Court about.

14 THE COURT: Issues are not ever that minor. Go
15 ahead.

16 MS. LIMEHOUSE: Yesterday after the pretrial
17 conference, we reached out to Jim Griffin, who represents
18 Alex Murdaugh, and notified him of the briefing to the Court
19 that we've provided. At that point Jim Griffin notified --

20 THE COURT: If you could, Mr. Laffitte, I'm sorry,
21 thank you, we will see you tomorrow morning, sir. Thank you.

22 MR. HOLLIDAY: Nine o'clock tomorrow morning.

23 THE COURT: Nine o'clock tomorrow morning. Go
24 ahead.

25 MS. LIMEHOUSE: We were notified by Alex Murdaugh's

1 attorney that Russell Laffitte had contacted John Marvin
2 Murdaugh, Alex's little brother, in an attempt to try to get
3 Alex to testify on his behalf that he had nothing to do with
4 the conspiracy. Given the Court's ruling today, I have less
5 concerns than we did this morning. But there are a couple of
6 concerns. One, Mr. Laffitte's attempt to effect witness
7 testimony; and two, John Marvin Murdaugh is a witness on
8 their list. And he's been ordered pursuant to his bond terms
9 not to contact any witnesses about this case. And so I'm
10 hoping the Court is willing to admonish him about that and
11 remind him --

12 THE COURT: Slow me down a little bit, because you
13 are talking about people. I don't know who all these folks
14 are. Okay. Start over again, Ms. Limehouse, a little
15 slower.

16 MS. LIMEHOUSE: Alex Murdaugh is represented by
17 attorney Jim Griffin.

18 THE COURT: I'm aware of that.

19 MS. LIMEHOUSE: And yesterday we notified him after
20 the pretrial conference that we intended to recommend what we
21 did in briefing to Your Honor.

22 THE COURT: Yes.

23 MS. LIMEHOUSE: At that point, he notified us that
24 Mr. Laffitte had contacted John Marvin Murdaugh, who is
25 Alex's little brother, who Mr. Daniel brought up in his

1 opening, that will testify in this trial, in an attempt to
2 get Mr. Murdaugh to testify and say that Mr. Laffitte had
3 nothing to do with this conspiracy. And the Government has a
4 couple of concerns, one, an attempt by Mr. Laffitte to affect
5 witness testimony; and two, contacting one of their witnesses
6 about this case.

7 Given the Court's ruling, I don't think this is as
8 much of an issue as I was concerned this morning. But I'm
9 hoping the Court will remind him of his bond terms, that he's
10 not to contact any witnesses about this case so that we don't
11 have any more issues during the pendency of the trial.

12 THE COURT: So who a contacted Murdaugh's brother?
13 I'm just a little confused who these players are.

14 MR. AUSTIN: I can add detail to this that is
15 probably helpful. We've been in communication with Mr.
16 Griffin, I don't know, probably six or seven months, where he
17 indicated that Mr. Murdaugh was very willing to testify on
18 Russell's behalf and say that he had nothing to do with this.
19 He ultimately reconsidered that and said that his lawyers, or
20 through his lawyers, have said that they advised him not to
21 do that. And so this is an ongoing conversation that's been
22 going on for a while.

23 THE COURT: But so who reached out to Alex Murdaugh
24 or -- who did that?

25 MR. AUSTIN: Mr. Laffitte did prior to the

1 sequestration order. And there's no concern about him doing
2 that again.

3 THE COURT: Mr. Laffitte, you understand the terms
4 of your bond. You are not to speak to anyone. You are
5 allowed to be here in the courtroom, but the witnesses are
6 sequestered. Do you understand that, sir?

7 THE DEFENDANT: Yes, sir, I do.

8 THE COURT: I have ruled and I sealed it before jury
9 selection. I did not want this out that I had ruled. But
10 the law is very clear on the issue that you cannot call a
11 witness in a criminal case strictly to have him take the
12 Fifth. That is improper, well-settled in this circuit and
13 virtually every other circuit in the country. And he's not a
14 witness. He's not going to be a witness so long as he's
15 going to take the Fifth. Should he change his mind and say
16 he wasn't invoking the Fifth that would be a completely
17 different situation. But I have been told consistently that
18 his counsel has indicated he will take the Fifth. And he's
19 not going to come in simply to state that because that's
20 improper under well-settled law. Okay?

21 Anything further?

22 MS. LIMEHOUSE: Nothing further, Your Honor. Thank
23 you.

24 MR. DANIEL: Nothing further.

25 THE COURT: Very good. See everybody here about 10

1 minutes to 9 tomorrow. We stand adjourned.

2 (Whereupon, the proceedings are adjourned.)

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CERTIFICATE OF REPORTER

I, Karen V. Andersen, Registered Merit Reporter,
Certified Realtime Reporter for the State of South Carolina
at Large, do hereby certify that the foregoing transcript is
a true, accurate and complete Transcript of Record of the
proceedings.

I further certify that I am neither related to nor
counsel for any party to the cause pending or interested in
the events thereof.


Karen V. Andersen
Registered Merit Reporter
Certified Realtime Reporter